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The situation in the Middle East

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Measures to eliminate international terrorism

Letter dated 5 November 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the reply of the Government of the Syrian Arab Republic to the letter dated 17 October 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General on agenda item 166 (A/56/483-S/2001/975) (see annex).

I should be grateful if you would arrange to have the text of the present letter and its annex circulated as a document of the fifty-sixth session of the General Assembly, under agenda items 42, 88 and 166, and of the Security Council.

(*Signed*) Fayssal **Mekdad**
Counsellor
Chargé d'affaires a.i.

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Annex to the letter dated 5 November 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

[Original: Arabic]

Letter dated 29 October 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

On instructions from the Government of the Syrian Arab Republic, I should like to transmit to you a reply to the letter of the Permanent Representative of Israel to the United Nations dated 17 October 2001 (A/56/483-S/2001/975).

Israel's officials and its representatives to the United Nations let slip no occasion on which the failure of their policies and the futility of their practices is confirmed without levelling groundless accusations at the Syrian Arab Republic with a view to discrediting its fundamental positions, in particular its commitment to the achievement of a just and lasting peace in the Middle East. The untruthful remark made in the said letter, to the effect that the Popular Front for the Liberation of Palestine (PFLP) is headquartered in Damascus, falls within the context of the unremitting Israeli policy to mislead international public opinion and distract it from the brutal acts which Israel carries out against the Palestinian people and it is part of a desperate bid to tarnish the image of the Syrian Arab Republic, whose position enjoys the support of international legitimacy and the respect of the international community and its States represented in the United Nations.

Israeli practices have grown ever more reckless during recent months. In this respect, the killing of Palestinian citizens has become a daily Israeli pastime, with Palestinians being massacred under any pretext. Israel, its military forces and its settlers have no hesitation in storming Palestinian towns and villages and demolishing homes on top of children, elderly people and women as they sleep. It is clear that Israel is not yet satisfied with its killing of over 730 Palestinians during one year alone or with the injury of thousands, a large number of whom are now disabled and incapable of movement or work. Israel's thirst for spilling Arab blood reflects the deep-seated hostility of its leaders to Arabs, to peace and to all the efforts made by numerous international parties for the achievement of true peace.

What provokes sadness, sorrow and even anger is Israel's use of what it calls terrorism as justification for the massacres that it perpetrates. In all cases, Israel and its leaders forget or pretend to forget that it is they who brought terrorism to the Middle East and who have practised such terrorism from the beginning of the 1940s to this day. Books on the modern history of the Middle East are full of documented information for anyone wishing to learn about the Israeli terrorist gangs who killed thousands of Arabs in cold blood and drove millions of them from their land. The Palestinian refugees stand as irrefutable evidence, living as they do in a great many Arab and other countries of the world, bearing the pain of the displaced in search of refuge and looking forward to just treatment and the restoration of their legitimate rights in accordance with international legitimacy and the relevant United Nations resolutions.

The fatal mistake which Israel and its leaders persistently make is to believe that the strength of Israel's aircraft, tanks and missiles can defend its occupation and justify its terrorism and lies. Israel has learnt nothing from the lessons of history, which have proved that to occupy the land of others and to drive out, kill and repress the people of that land are all grounds which justify the struggle of those peoples to achieve their independence, sovereignty and freedom. International humanitarian law, in particular the fourth Geneva Convention and its Additional Protocol II, upholds the right of peoples to fight against colonial domination and foreign occupation.

Since the end of the 1940s, the Syrian Arab Republic has taken in its Palestinian brothers forced by Israel to leave their homes and has opened its doors to them, bandaged their wounds and supported their right of return to their homeland. These refugees are adamant that Palestine is their homeland and that their right of return and self-determination cannot be relinquished. On that basis, the Syrian Arab Republic, which has supported the right of peoples to liberation and self-determination, as have most of the other countries of the world, also supports its Palestinian brothers, each faction of whom has information offices in Syrian territory and nothing more. The statement contained in the letter of the Israeli representative that PFLP is headquartered in Damascus is pure fabrication, since it is well known that the PFLP leadership and cadres have been in the occupied Palestinian territory since 1995.

The statement in the Israeli letter that "certain regimes in the Middle East continue to support, and even participate in, violent terrorist operations" is ludicrous. For that matter, everyone knows that Israel adopts terrorism as an official policy and that it practises such terrorism each day and hour through its occupation of Syrian, Lebanese and Palestinian Arab territories and through its perpetration of terrorist massacres within the sight and hearing of the world, without shame or hesitation. The Arab States have affirmed their condemnation of international terrorism in all its forms and manifestations, particularly in their adoption of the Arab Convention for the Suppression of Terrorism and at the most recent meeting of Arab ministers for foreign affairs held in Doha, Qatar, on 9 October 2001, as well as at the Islamic Conference of Foreign Ministers held in Doha on 10 October 2001. The Syrian Arab Republic calls on the countries of the world to exert pressure on Israel to end its occupation of Arab territories and cease its organized terrorism with a view to the achievement of a just and lasting peace in the Middle East on the basis of international legitimacy, international law, international humanitarian law and the relevant United Nations resolutions, in particular Security Council resolutions 242 (1967) and 338 (1973).

I should be grateful if you would have this letter circulated as a document of the fifty-sixth session of the General Assembly under agenda items 42, 88 and 166, and as a document of the Security Council.

Fayssal **Mekdad**
Chargé d'affaires a.i.

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Programme budget for the biennium 2000-2001

Integrated Management Information System project

Thirteenth progress report of the Secretary-General*

Summary

The present report describes the activities relating to the Integrated Management Information System (IMIS) operations for the past 12 months and discusses the future developments with the system in place.

At present, IMIS remains the only fully integrated system available to the United Nations system of organizations, meeting their specific requirements in most of their administrative needs in personnel management, budget implementation, treasury, accounting, payroll, procurement and travel.

Following the completion of the development phase of IMIS as initially planned and the implementation of the payroll module at Headquarters in September 2000, the payroll system has been successfully implemented in the Economic and Social Commission for West Asia and in the United Nations Office at Vienna. Preparations for its implementation are well advanced in the other offices away from Headquarters. The United Nations Development Programme and the United Nations Children's Fund are also currently preparing to implement the payroll functionality. With the implementation of the finance functionality now complete in all major duty stations, usage of the system has continued to increase.

* The preparation of the present report was delayed given a need to complete analysis of issues relating to the modernization of the Integrated Management Information System and the related consultations with the Secretariat.

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The report also analyses the present technological conditions of the system. The review of that issue concluded that in order to ensure the ongoing viability and robustness of the system and to ensure that it continues to meet the requirements of the Organization, specific steps for the modernization of the system would be required. This modernization of the technical architecture of IMIS is in line with one of the objectives of the information and communication technologies strategy of achieving an e-administration. The related details and additional resources required for this purpose are described in the report. These additional requirements could be met from within the overall resources available under the special account for IMIS.

I. Introduction

1. The purpose of the Integrated Management Information System (IMIS), which was approved by the General Assembly in section XII of its resolution 43/217 of 21 December 1988, is to develop an integrated system for the processing of and reporting on administrative actions at all major duty stations. The main areas covered by the system are personnel management, post management, accounting, procurement, travel, payroll and budget execution. The Secretary-General has thus far submitted 12 progress reports for the system implementation, the latest of which was submitted to the General Assembly at its fifty-fifth session (A/55/632).

2. The system is currently installed at the eight major duty stations, namely, New York, Addis Ababa, Bangkok, Beirut, Geneva, Nairobi, Santiago and Vienna. It is also being used by the United Nations Development Programme (UNDP), the United Nations Population Fund (UNFPA) and the United Nations Office for Project Services (UNOPS) and, as far as the human resources application is concerned, is used by the secretariat of the United Nations Framework Convention on Climate Change, the International Labour Organization (ILO), the International Trade Centre UNCTAD/WTO (ITC) and the United Nations Children's Fund (UNICEF). The entire system, fully integrated, relies on a set of core functionalities/mechanisms that support its operations, as well as the operations of the system at multiple locations. Until the eleventh progress report, reference was made to releases, specifically intended as successive deliveries of parts of the software. With the completion in 2000 of the delivery of the last components of the system, Release 4 (payroll) and Release 5 (operational components), and their successful integration, reference to releases has been replaced with references to the functional areas of operation of the system.

II. Status of the project

A. Central controls, operational applications and overall operations

3. The IMIS software is exclusively developed at Headquarters. Enhancements of the software are centrally coordinated through the mechanism of the substantive interest groups established as part of the common long-term maintenance arrangements with the United Nations funds and programmes using IMIS. Following the delivery of the major releases of the software, ongoing maintenance and changes to the IMIS common system continue to be centrally controlled and distributed to ensure ease of maintenance and consistent, accurate operations across duty stations.

4. As reported in the previous progress report, central controls and mechanisms to support worldwide operations have been developed and implemented over the entire life cycle of the project. They include mainly security access to data and transactions, reference tables, including remote data distribution, workflows (e.g. queuing of transactions), account code structure, data consolidation and remote access.

5. The security system has evolved over the development cycle through increased numbers of transactions that can be performed by the authorized users or groups of users. The last upgrade was introduced with the payroll implementation in August 2000.

6. In addition, with a view to increasing accuracy and reducing the workload, certain reference tables are centrally maintained and automatically distributed to offices away from Headquarters, UNDP and UNICEF. Approximately 150 tables contain reference data (country names, currencies, vendors, etc.). Of these, some 55 tables, including salary scales and exchange rates, are distributed to other offices where they are automatically loaded into the local databases.

7. The workflow mechanism (the capability to queue documents to another user group for follow-up action) has been enhanced in certain areas, to provide for better information on the assignments being sent, and easier access to the relevant screens where the recipient fulfils the assignment.

8. In order to facilitate consolidated data analysis and reporting, data from the various duty stations have been made available at Headquarters to create a multi-site reporting database. The database is now available to users who require access to it. Specific reports are under development and users can also ask queries against the database. Progress has been made in using this database for accounts closing activities, as had been recommended by the Board of Auditors. A strategic approach for further data consolidation has

been elaborated jointly by the Office of Human Resources Management, the Office of Programme Planning, Budget and Accounts and the IMIS team, and resources are being earmarked for this purpose.

9. Weekly copies of the IMIS and reporting databases of the offices away from Headquarters are available at Headquarters for consultation and reporting purposes. Direct remote online access to databases in offices away from Headquarters using existing network lines is also available to relevant administrative staff at Headquarters.

10. As previously reported, the progressive implementation of the system at all major duty stations has led to new requirements with respect to processing of personnel actions on the transfer of staff and related data between duty stations, inter-office vouchers and personnel table replication. Work is now in progress on measures to address the new requirements for the transfer of personnel data and inter-office vouchers and related modifications to the existing software.

11. IMIS operations support units have been created in the Office of Human Resources Management and the Office of Programme Planning, Budget and Accounts to provide help-desk assistance to users worldwide and to generate reports, prepare training material and provide substantive training as appropriate, while the overall coordination of training has been taken over by the Office of Human Resources Management.

12. With the completion of the development effort, the system now comprises 1,089 transaction screens, 5,197 help screens, nearly 4 million lines of code and, 921 tables with 14,346 fields. In addition, there are 88,400 web files for desk procedures, 39 hands-on training courses and 14 lecture courses available to system users.

B. Human resources services applications

13. The utilization of the human resources services applications by the users during the reported period was comparable to the previous year; the average number of personnel actions processed monthly at Headquarters was approximately 3,600, compared with 3,500 reported in the twelfth progress report.

14. The majority of the work performed during the past year in the human resources functional area was defined by the implementation of the payroll system. The extensive pre-implementation data-cleaning process conducted by the user community required intensive analysis and support from a joint team of the Office of Human Resources Management, the Office of Programme Planning, Budget and Accounts and IMIS. The introduction of the staff member pay control mechanisms based on automatic updates of staff member entitlements proved to be more complex than had been foreseen and required extensive monitoring, troubleshooting, analysis and prompt resolution of critical problems. The introduction of the payroll functionality has exposed, as never before, the importance of consistency of the personnel data in this highly integrated environment. A number of changes to the system were made to the human resources functional area in a very dynamic manner during the months of preparation for the payroll implementation to optimize system performance and speed up the implementation of the payroll system. This has required substantially more time and effort than originally foreseen.

C. Finance and support services applications

15. IMIS comprises finance and support services applications that are by far the most extensive and complex component of the system. The system supports, among others, budget implementation, funds control, processing of obligations, payables/receivables inter-office vouchers and disbursements, cash management, accounting, procurement and travel transactions.

16. The implementation of the financial application at offices away from Headquarters has been completed. Since the time of issuance of the twelfth progress report, Release 3 was implemented at the Economic Commission for Africa (ECA) in October 2000, at the Economic and Social Commission for Asia and the Pacific (ESCAP) in March 2001 and the United Nations Office at Nairobi in July 2001. The implementation of the financial application to all those offices was successful and has allowed for the standardization of processes across the Secretariat to the maximum extent possible. At each duty station, the accounts are fully reconciled and monthly closings proceed on schedule. It should be noted, however, that major data clean-up efforts had to be undertaken to

complete these implementations. That involved more resources than initially anticipated.

17. With the completed implementation of this part of the system at offices away from Headquarters, further improvements have been introduced to the system. Among those are the inclusion of payroll data in the insurance batch for peacekeeping operations and general trust funds and the establishment of capability to change existing bank account numbers and to link currencies of the euro zone.

18. Currently an enhancement is being introduced to automate approval of documents created by the inter-office voucher batch. This batch process, when fully implemented, will reduce the volume of manual processing and improve the accuracy of inter-office voucher processing, in response to the related recommendation of the Board of Auditors in its report on the 1998-1999 financial statements of the United Nations.[1] Work on an enhancement that supports financial reporting in Swiss francs as well as in United States dollars was completed and is awaiting user test by ITC. Further to the introduction in the last quarter of 1999 of the processing of electronic funds transfer payments to financial institutions in the host country, work has continued on developing an interface to make electronic funds transfer payments to international financial institutions. This is expected to be completed in early 2002.

19. Work has also progressed on replacing the mainframe project management reporting system used for technical cooperation projects in the Department of Economic and Social Affairs. Historic project expenditures which previously resided only in the mainframe have been fully incorporated into IMIS in order to allow full reporting using IMIS data. An enhancement to create new funding documents from existing documents was introduced. This enhancement greatly reduces the volume of data-entry work.

20. In the area of procurement, over 5,900 requisitions were processed in IMIS at Headquarters during the reporting period (1 September 2000 to 31 August 2001) and some 3,250 purchase orders were issued from those requisitions. A feasibility study is being undertaken on replacing or upgrading the present procurement software package used at Headquarters.

21. In sum, during the reporting period, 449,415 financial documents were processed in IMIS. Of these, 231,196 were processed at Headquarters and 218,219 were processed in the offices away from Headquarters.

D. Payroll and related applications

22. The online time and attendance module, created to record the attendance of staff (e.g. annual and sick leave) and overtime assignments data, such as regular and special overtime, was implemented at Headquarters in August 1999 and at the offices away from Headquarters in 2000 and 2001.

23. The new payroll functionality was successfully integrated into production at Headquarters in August 2000. Because of the size and complexity of the payroll module, payroll processing was initially limited to a representative group of staff (about 300) from Headquarters and staff from one peacekeeping mission. From January 2001, payroll processing was extended to all the Secretariat staff payrolled from Headquarters (approximately 9,500), including staff in field missions. With the completion of the implementation of Release 4 at Headquarters, the previous mainframe payroll system was discontinued at Headquarters as of February 2001, after a month's parallel as a contingency measure. However, the mainframe payroll system continued to be used for UNDP, UNICEF and, until June 2001, for ESCWA. It is also used minimally for Headquarters for historical reporting.

24. UNDP and UNICEF have also been preparing for the implementation, in 2001, of the IMIS payroll, rental subsidy, insurance and time and attendance applications. In this exercise they have been assisted by the Office of Human Resources Management, the Office of Programme Planning, Budget and Accounts, the Treasury and the IMIS Service. While time and attendance modules have already been implemented in both UNDP and UNICEF, data verification and clean up are still in progress. Modifications or enhancements to IMIS to deal with the special requirements of UNDP have been carried out. Parallel payroll runs for multiple months for the full population for UNDP are in progress in order to adhere to an implementation planned for before the end of the year. The original plans to implement the module in mid-2001 were changed, largely owing to continued data clean-up efforts. Similar parallel runs for UNICEF are considered for the near future, to prepare for the implementation of the IMIS payroll before the end of the year. However, a number of internal workflow and

other issues remain, which may delay the implementation till 2002. With the implementation of the IMIS payroll for both UNICEF and UNDP, the use of the mainframe payroll system for those organizations will be discontinued in 2002, except for minimal use for historical reporting.

25. The experience gained from the implementation of the payroll module at Headquarters has indicated that substantially more time and effort is required than originally planned. In particular, data clean up, synchronizing the functioning of Releases 2, 3 and 4, and more extensive training of staff all require more time and effort. This prompted revision of the implementation schedule of the payroll module at the offices away from Headquarters and has resulted in a slower implementation of the module which is now planned to be completed in 2002. In order to minimize the costs of implementation and at the same time to manage an aggressive implementation schedule for the payroll module at offices away from Headquarters, it was decided to organize training in two sessions for a limited number of staff from those offices at Headquarters. In March 2001, 27 staff from ESCWA, the United Nations Office at Vienna and the United Nations Office at Geneva were trained in New York on all aspects of operating the new payroll and related functionalities. During the training, these staff practised payroll processing for their offices on copies of the databases from their respective duty stations. They also tested the system to ensure compatibility with their special requirements. Furthermore, they identified workflow issues and developed preliminary but detailed implementation plans for their respective offices.

26. In July 2001, ESCWA implemented payroll processing in IMIS, after parallel runs with the mainframe system at Headquarters. While the mainframe payroll processing at Headquarters for ESCWA has been discontinued, the Headquarters payroll section continues to be responsible for the payroll processing for ESCWA by remotely accessing the latter's IMIS database. However, the major inputs for the payroll processing such as entitlements, rental subsidy, insurance, time and attendance, and the post-payroll processes such as disbursement are now managed locally by ESCWA through IMIS.

27. The payroll module has been fully implemented in the United Nations Office at Vienna, after enhancements were introduced to IMIS to meet special requirements. Similar efforts are under way in the United Nations Office at Geneva, which anticipates the implementation of IMIS payroll processing by January 2002.

28. The second session of training to operate the IMIS payroll is under way in New York for a limited number of staff from the United Nations Office at Nairobi, ECA, ESCAP and ECLAC. Upon the return of staff from training, preparations for the implementation of the payroll at those duty stations will be initiated. The implementation date at those offices will be determined locally in consultation with Headquarters, based on the results of their parallel runs and possible local constraints, with the overall expectation that implementation of the payroll module will be completed in July 2002.

E. Reporting applications

29. During the 12-month period under review, users accessed the IMIS Reporting Facility application at Headquarters 113,257 times (an average of approximately 343 times per working day, or some 21 per cent more than in the previous reporting period). In over 82 per cent of usage, the users generated standard reports, while in some 16 per cent of the usage, users downloaded data for use with customized queries and/or reports.

30. Effective in July 2000, responsibility for the development of reports was transferred from the IMIS team to the user areas. The staff remaining on the IMIS team continue to maintain the reporting front-end application and the reporting (extracts) database. The IMIS team also provides limited support for reporting issues that fall outside the finance and human resources functional areas.

31. In 2001, the multi-site reporting database was made available for use by a selected group of users. This database makes available Headquarters data and data of the seven offices away from Headquarters. Using copies of all the offices' databases refreshed at Headquarters on a weekly basis, selected financial tables and human resources tables are merged into a multi-site. In August 2001, the first customized report was written using this multi-site database. Further work in this direction continues.

F. Infrastructure and technical issues

32. The production infrastructure at Headquarters that supports access to ad hoc reporting and diagnostics for Headquarters and offices away from Headquarters data has been upgraded to meet both the additional payroll processing requirements and to keep it technologically up to date. Two new servers have been installed for this purpose. The disaster recovery server has been replaced so that it can handle payroll processing in the event it is needed. The IMIS production operations unit also supports the hardware at UNDP and UNICEF, and that hardware has also been upgraded so that it can meet payroll-processing requirements. A new data storage facility will be installed in the near future to improve the disk storage of IMIS and non-IMIS applications and enhance the security and robustness of operations. Resources are provided to each office away from Headquarters to purchase a fault-tolerant disk storage facility for their IMIS production operations.

33. The previous progress report indicated that plans were being made to upgrade the technical platform of IMIS and initiate a project to re-engineer the user interface. The technical platform application at Headquarters was upgraded in 2001 to the latest version. The computer operating system that supports IMIS, HP-UX, has been simultaneously upgraded to the latest release. Similar upgrade is in the process at all IMIS overseas locations. It is expected that the upgrade of the technical platform at all locations will be completed in 2002.

34. As indicated in the twelfth progress report, one of the main objectives for the maintenance of the system was to re-engineer the user interface to make the system more user-friendly. A full functioning proof-of-concept was completed in 2001 for two IMIS user sessions that demonstrated IMIS running on the World Wide Web. A proposal to complete a conversion of the entire IMIS application to the Web is currently under review. This project and the related resource requirements are discussed in sections IV and V below.

35. With the implementation of the finance application at all offices away from Headquarters, possibilities for wider use of the consolidated database were explored. A project on the periodicity of updates to the consolidated database and on database replication will be launched. This technology could be used to exchange data between the central and local IMIS systems, not only for reporting purposes but eventually for transaction processing.

III. The Integrated Management Information System as a common service

36. Within the framework of the Task Force on Common Services, meetings of the substantive interest groups continued during the reporting period on the establishment of IMIS as a common service for the United Nations funds and programmes. The meetings have served as a forum for review of requests for the enhancement and prioritization of items to be worked on beyond the scope of activities described in the present report. In the past year UNDP conducted a study of its needs in information technology in order to decide on the future direction of its information technology strategy. Maintenance services for IMIS applications installed or to be installed in the future as well as technical help desks and consulting services for United Nations funds and programmes will continue to be provided on a cost-recovery basis.

IV. Future developments

A. Activities since previous progress report

37. As reported in the twelfth progress report, the IMIS maintenance team planned to concentrate thenceforth on: (a) continuous assistance to offices away from Headquarters in implementation of the system locally and related issues of training and support; (b) issues identified during testing and those arising in the course of normal operation of the system; and (c) major enhancements to the system in response to legislative or managerial decisions.

38. The activities referred to in (a) and (b) above were reported on in earlier sections of the present report. They have progressed steadily over the reporting period. It should be noted, however, that those activities had a greater than anticipated impact on other work and enhancements that were planned. Both a need for refining the payroll system on the one hand and a need to support the implementation activities on the other called for significant working time and

resources. This, in turn, affected the implementation of the scheduled enhancements of the system.

39. Progress over the reporting period on major enhancements of the system can be summarized as follows:

(a) Consolidation of data has progressed with the full implementation of the consolidated extracts reporting database. This has been used in the preparation of the financial statements. An approach to further consolidation in the medium-term has been discussed with the offices concerned. This will draw on the experience to be gained from consolidating, at the end of 2001, for the first time, financial data from all eight major duty stations. A technical and business study of options for full system consolidation is foreseen during 2002 with the use of additional resources, as detailed in section V, and table 2.C below;

(b) During the analysis of requirements for the archiving of data it became apparent that it was necessary first to develop batch processes that perform closing entries in the accounts and to create records for opening balances, pre-requisites to the actual archiving process. Work on the processes for accounts closing and opening balances has begun and when it is completed the requirements for archiving will be finalized. It is expected that this will be completed during the first half of 2002, allowing the archival process to be fully developed later in 2002;

(c) As described in paragraph 33 above, the technical platform of the IMIS application has been upgraded to the latest version. This will make it possible for the entire application to be designed in Web format. It is expected that the latest version of the application will be installed at Headquarters before the end of 2001 and distributed to all other locations during 2002;

(d) Owing to the need to allocate more resources to the activities relating to the implementation of the payroll system, resources for the implementation of the use of electronic forms have been limited and progress has been slow. Staff members may now submit their request for a lump sum for home leave travel using an online form; however, the data are later entered into the IMIS database manually. Some analysis has been carried out on the introduction of other electronic forms (e.g. the submission of travel claims by staff members). When the results of these pilot projects have been evaluated it will be determined how best to proceed with these projects;

(e) There has been some research into "personal accounts" to make certain IMIS personal data available online in the context of implementation of that project. UNICEF has introduced a similar project, which appears to have many of the characteristics that the Secretariat plans to introduce. The Department of Management intends to continue cooperation with UNICEF on this issue with a view of advancing implementation of the project;

(f) Re-engineering of the user-interface was initiated in 2001 with the upgrade of the application software. In addition, to implement a migration of the entire application to the new software base, two functional user sessions were developed in the new Web format in the pilot stage of the project. The work on this project will continue, but it will require additional time and resources. This issue is further discussed in section V below;

(g) In the area of reporting there has been some research of potential replacements for the reporting tool used currently. Given the intended move of the system to the Web format, options have been considered that would allow reports to be readily accessible on the Web. In addition, a survey of the user base for the IMIS reporting application is in progress to determine the changes to the application that will have the most impact for users. These studies will provide the basis for porting the reporting application to the Web format. Work on this project will continue.

40. It will be recalled that in the context of the review of the twelfth progress report by the General Assembly at its fifty-fifth session, information was requested on progress made with regard to the integration of IMIS with other programme budgeting and reporting systems being developed. This issue is being discussed within the Department of Management so that when the new budget information system is introduced, integration with IMIS will be maintained, as it has been in the past with the outgoing system, and further strengthened. There has also been collaboration within the Department on the key reporting item project. For that project the IMIS database tables have been made available for development of the related application.

B. The Integrated Management Information System in the field

41. Following the review of the twelfth progress report, the General Assembly, in its decision 55/463 of 12 April 2001, endorsed the recommendation of the Advisory Committee on Administrative and Budgetary Questions (A/55/7/Add.8) that any structural and financial constraints that resulted in limited progress in the implementation of IMIS in peacekeeping operations and the International Tribunals be identified. While some progress as described in the following paragraphs can be reported, constraints have essentially been financial. It has not been possible to make resources available within the established IMIS budget to conduct a detailed requirements analysis and determine what functionality, if any, may be required by peacekeeping operations and Tribunals that is not already available.

42. With regard to the International Tribunals, as reported in the twelfth progress report, the international staff of the International Criminal Tribunal for Rwanda are administered through IMIS at Headquarters. With the full implementation of the payroll module, the payroll for these staff is now also operated through IMIS. Installation of a local IMIS system at that Tribunal is not possible owing to technical difficulties. Possibility for a remote access to IMIS at Headquarters will be considered in the future. With regard to the International Tribunal for the Former Yugoslavia, there has been no practical progress on the issue during 2001. The implementation of the system for that Tribunal could be either local or through remote access to the United Nations Office at Geneva. However, the solution depends on concerted effort, particularly on the part of management of that Tribunal.

43. Regarding peacekeeping operations, it was stated in the twelfth progress report that an analysis of the situation for the IMIS implementation for the peacekeeping missions would be conducted jointly by the Department of Management and the Department of Peacekeeping Operations at four levels: the IMIS database, the front end (users' interface), the specific functional requirements of peacekeeping missions and the technical platform including remote accessibility and portability.

44. Within the available resources in both the Department of Management and the Department of Peacekeeping Operations, the first phase of the analysis has been focused on the technical platform and remote accessibility. A series of tests of remote access have been carried out. In the first tests the technology allowed the end user remote access with light local infrastructure requirements, including a personal computer with communication software installed and a telecommunications link, either by land-line or satellite. The results were positive when using a landline. The use of a satellite link proved not to be sufficiently reliable. Further tests were conducted using an Internet connection and the pilot Web-enabled IMIS screens. These tests were positive but they revealed the potential need for additional capacity with respect to the telecommunications links used. Various scenarios are also under consideration, including the implementation of a centralized IMIS installation servicing peacekeeping missions remotely, with the benefit of minimizing the requirement for local mission-based infrastructure and support, or the implementation of an IMIS installation at the mission site, or a combination of these two scenarios. This is being considered given the varying degrees of infrastructure support capability and stability between different missions. It is apparent from this phase of analysis that the telecommunications infrastructure will require enhancing in order to provide satisfactory performance of the remote access to IMIS by the missions.

45. On the basis of the results of these tests, the Field Administration and Logistics Division of the Department of Peacekeeping Operations and the Information Technology Services Division of the Office of the Central Support Services have agreed on a phased implementation of IMIS, with a link between IMIS at Headquarters and three peacekeeping field locations — the United Nations Truce Supervisory Organization (UNTSO), the United Nations Peacekeeping Force in Cyprus (UNFICYP) and the United Nations Logistics Base at Brindisi — as the first phase of the IMIS implementation in peacekeeping operations. In this first phase, the data entry of personnel data will be transferred from Headquarters to those field offices, which will eliminate the duplication of data entry work now required. For the field missions selected, the communications infrastructure already in place is sufficiently reliable and robust to support remote access. The first phase is expected to be completed in early 2002.

46. The upgrade of the system to the application software undertaken in 2001 would provide for re-engineering and improvements to the users' interface. These can be done in a way to meet specific requirements of the peacekeeping missions. The re-engineering effort will comprise two approaches to different sets of screens. The first consists of transferring IMIS screens to the Web format, with redesign to improve navigation and streamline data entry and other online processing. This will be applied to those screens where the most benefit is expected from such redesign. The second approach consists of transferring IMIS screens to the Web format, without substantial redesign; this approach will be applied to the less complex and "lower impact" screens.

47. The analysis of specific requirements for peacekeeping missions will reveal the scope of the changes to the IMIS database that may be required. Furthermore, aside from requirements that may be identified during the analysis for peacekeeping missions, the planned addition of new functionality in IMIS could include features for procurement and related processing, including vendor and contract management, supplies and fixed asset management. Preliminary analysis of the scope of the changes indicates a need for additional resources for implementation of the project.

C. Technological upgrade of the Integrated Management Information System: a long-term strategy for the system

48. The efforts to date have focused on the development of the functionality of IMIS to support United Nations administrative processes. Over the years, the technological platform of the system, which dates from the early 1990s, has become more and more obsolete. The long-term strategy for IMIS functioning addresses the need for a technological upgrade of the system to ensure that its viability and capability will be maintained to meet the needs of the Organization. It should also be noted that when the current technology was chosen, elements of a modern technological architecture, such as the Internet, did not exist or were not available. Time has come to address these apparent shortcomings of the technological infrastructure of the system. These include:

(a) *The outdated user interface.* The experience gained from the system's operation over the years clearly indicated that the user interface is outdated and its improvement is required to correspond to evolutions in workflow and to allow additional streamlining of business processes in the system;

(b) *The inability of the system to process online transactions and off-line (batch) processes concurrently.* Such a capacity is required to processing 24 hours a day, 7 days a week as a prerequisite to allow remote access to the system from and to locations with highly disparate time zones and ultimately to support system consolidation;

(c) *Some programs of the system were written in programing languages that are no longer easy to maintain.* As the skills to maintain these programs become rarer, there are greater risks and costs associated with system maintenance. Such programs have to be rewritten in modern programing languages;

(d) *The need to deploy the system and its reporting application on the Web.* The ability to deploy the system on the Web will be an important factor in allowing remote access and full deployment of IMIS to all field missions. Furthermore, it will contribute to cost savings as the support requirements of local systems will be reduced;

(e) *Consolidation of the system.* In the original design of the system, using the technology available at that time, the local databases were implemented to meet the Organization's requirements on a principle of autonomy of operations in each major duty station. The current architecture of the system hampers the consolidation of data from offices away from Headquarters for reporting purposes and requires extra efforts in transaction processing, relating for example to the transfer of staff, the issuance of allotments, and inter-office financial authorizations. The Organization's need for the consolidation of systems is an increasingly pressing managerial requirement at present.

49. With regard to the consolidation problem, operating the system at United Nations duty stations where IMIS has already been implemented has clearly indicated the need to interact with IMIS in a global manner, online and on a real-time basis, without restrictions resulting from the location of data or differences in time zones. This interaction includes transactions that involve the participation of more than

one IMIS site, such as when payments are requested at one site and made at another, movements of staff between duty stations, immediate United Nations Secretariat-wide budget performance and post management reporting or decentralized procurement (requests entered at one site, purchases made at another). These administrative needs are currently hampered by distance and time: an IMIS site can only directly perform changes on its own local data and IMIS is generally only available for online use during local daytime hours. The capability to perform and report on global transactions requires the availability at all stations involved to be on duty on a "24 hours a day, 7 days a week" basis. This will entail the re-engineering of the processes as well as the computing and software infrastructure to allow the concurrent operations of online and off-line processes.

50. The worldwide availability of IMIS data and of the system would represent a significant enhancement effort which, in addition to its re-engineering, could include the following enhancements:

(a) The identification of finance and human resources transactions and reports that require the intervention of more than one IMIS site;

(b) The introduction of software components that would remotely get or provide data required for these transactions;

(c) The creation of global security, auditing and administrative controls;

(d) The review of United Nations administrative procedures that could be streamlined owing to the introduction of worldwide capability.

51. The development of these complex tasks would require full-time staff with specific knowledge of United Nations administrative procedures and practices and IMIS current architecture. Similarly, it would require external development resources such as experts, software and equipment, which might need to be procured to speed up these tasks. The analysis of the activities outlined above will address the scope of changes to the IMIS technological architecture and will include the determination of the right approach to further consolidate IMIS processing and data.

52. As indicated above, work has started to migrate IMIS online programs to the Web, facilitating its remote access in other United Nations offices. This will also allow the design changes and improvements to the user-interface that are now required. Other system components, such as the software tool used in the accounts posting and processing applications, now need to be converted to newer and more accessible programming languages for which maintenance skills can more readily be obtained. Similarly, the auxiliary procurement system, called "Reality", which has been in service for almost a decade, and some of its basic components, without vendor support, could be replaced. The development of a new procurement system that is fully IMIS-compatible has become apparent.

53. The scope of the above strategic enhancements to IMIS calls for additional resources. These additional requirements are discussed in section V below.

V. Budgetary matters

A. Revised estimates for implementation of the present system

54. In its resolution 53/219 of 7 April 1999 the General Assembly, after reviewing the tenth progress report, the report of the independent experts and the report of the Board of Auditors, approved the overall budget estimates of $77.6 million for completion of the development of IMIS. As reflected in table 1 below, the projected overall level of expenditures is currently expected to amount to $78.6 million, representing additional requirements in the amount of $975,700 over the provision approved to date for the additional activities, such as the extensive data cleaning and verification essential for the implementation of the payroll module, which were not fully foreseen.

55. The staff cost projections for general temporary assistance, based on actual expenditures to date, show projected additional requirements of $594,500. This projection is based on the need to maintain temporary staff for longer than initially anticipated to support the implementation activities for the payroll module in the offices away from Headquarters. The experience of its implementation at Headquarters and ESCWA clearly indicated that the level of support for these activities, notably data clean-up work, was far greater than anticipated. The temporary staff would need to be extended into 2002.

Table 1
Revised estimates for the development and implementation budget of the Integrated Management Information System
(Thousands of United States dollars)

	Overall budget estimates approved by the General Assembly	*Expenditures as at 31 August 2001*	*Projected expenditures for the period from September 2001 to project end*	*Revised total cost of the project*	*Estimated surplus/ (deficit)*
Staff Costs	19 545.5	18 518.1	1 621.9	20 140.0	(594.5)
Travel	1 545.5	1 009.0	785.8	1 794.8	(249.3)
Training	4 678.0	4 174.8	476.3	4 651.1	26.9
Contractual services	46 596.2	46 751.9	-	46 751.9	(155.7)
Communications	283.9	283.9	-	283.9	-
Supplies/miscellaneous expenses	308.5	307.0	-	307.0	1.5
Hardware	2 824.8	2 829.2	-	2 829.2	(4.4)
Software	1 796.7	1 796.7	-	1 796.7	-
Total	**77 578.9**	**75 670.6**	**2 884.0**	**78 554.6**	**(975.7)**

56. The projected travel costs, related exclusively to implementation activities at offices away from Headquarters, show an increase of $249,300 owing to increases in the number of staff assigned for implementation of the payroll module, in particular during pre-implementation and implementation activities at these offices, including data cleaning and training.

57. The projected expenditures for contractual services show an increase of $155,700, resulting from a need for payroll testing and for software changes required because of refinements in the requirements.

58. Projected expenditures for training, hardware, software, communications and supplies show minor variations reflecting actual requirements.

B. Additional requirements for the technological enhancement of the system

59. The re-engineering of the user interface with the ability to deploy the system on the Web would require 12 work-months of general temporary assistance, equivalent to three P-4 and three P-3 posts, to develop detailed requirements for the redesign and testing of screens in the new Web format. Contractual services would include a 10-person team (project manager and programers) provided by the application software vendor. The team would migrate all screens to the Web format and re-engineer the most commonly used IMIS screens over a period of 12 months, as well as train the IMIS development team to take over the system maintenance upon completion.

60. The re-writing of entitlements/posting applications in modern programing language would require 12 work-months of general temporary assistance, equivalent to two P-3 posts, and 12 months of contractual services for one programer to replace the existing software development tool, PowerModel, with programs written in modern programing languages, and which would also allow for performance improvements to be made.

61. The study of functional and technical needs for consolidation of the system would require 12 work-months of general temporary assistance, equivalent to one P-4 post and two P-3 posts, to undertake a study of both functional and technical issues that need to be addressed in moving away from the current fragmented database architecture, and to identify the consolidated system. Contractual services would entail 12 months of an expert on database technology to provide advice and recommendations on the database architecture. It is expected that the study would provide an estimate of the scope of the work and the resources that would be required subsequently to implement the chosen solution.

Table 2
Estimated resource requirements for the technological update of the Integrated Management Information System
(Thousands of United States dollars)

	Projected expenditures	*Cost estimates*	*Starting date*	*Estimated completion date*
A.	Re-engineering of the user interface with the ability to deploy the system on the Web			
	General temporary assistance	750.0	March 2002	April 2003
	Contractual services	2 200.0		
B.	Re-writing of entitlements/posting applications in modern programing language			
	General temporary assistance	227.0	March 2002	April 2003
	Contractual services	275.0		
C.	Study of functional and technical needs for consolidation of the system			
	General temporary assistance	364.0	April 2002	May 2003
	Contractual services	275.0		
D.	Re-engineering of the system for 24 hours a day, 7 days a week operations			
	General temporary assistance	341.0	January 2002	February 2003
E.	Study on the reporting application update in the context of deploying the system on the Web	341.0	January 2002	February 2003
	General temporary assistance	227.0	March 2002	April 2003
	Total	**4 659.0**		

62. The re-engineering of the system for 24 hours a day, 7 days a week operations would require 12 work-months of general temporary assistance for three P-3 posts to reprogram the batch processes that currently require the system to be off-line, as well as the online processes that might be required to allow concurrent online and batch processing.

63. The study on the reporting application update in the context of deploying the system on the Web would require 12 work-months of general temporary assistance for two P-3 posts to identify alternative solutions to replace the current reporting tools based on the Paradox application in the context of deploying the system on the Web. The study would provide recommendations on appropriate solutions and determine the scope of the work and the related resources required for the full update of the reporting application.

C. Modalities for financing the estimated additional requirements

64. The additional requirements estimated in the context of the present report are summarized as follows:

	United States dollars
Revised estimates relating to implementation of payroll module during the years 2001 and 2002 (paras. 54-58)	975 700
Additional costs associated with required technological update of the system (paras. 59-63)	4 659 000
Total	**5 634 700**

65. It should be noted that the Integrated Management Information System Fund was established in 1989 for the purpose of systems development and implementation. The status of the Fund at 30 June 2001 may be seen in annex IV to the present report. Over the years of the project's implementation, the funds deposited to the account have generated additional incomes through investment of the funds. The income at 30 June 2001 amounts to $5,956,000. They form part of the Fund balance reported in annex IV. It is proposed to utilize that balance in part to finance the additional requirements of $5,634,700 estimated in the context of the present report.

VI. Recommendation

66. **The General Assembly is requested to approve an additional provision of $5,634,700 under the Integrated Management Information System Fund to meet the requirements of IMIS associated with activities detailed in section V of the present report, to be financed from the investment income reported under the Fund at 30 June 2001.**

Notes

[1] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 5* (A/55/5), vol. I, chap. II, para. 108.

Annex I

Standard reports in production and under development as at September 2001 and Integrated Management Information System Reporting Facility report statistics

	Integrated Management Information System Reporting Facility report statistics as at 31 August 2001 Sorted by subject area name within category					
	In production		*In progress*		*Total*	
Subject area	*31 August 2000*	*31 August 2001*	*31 August 2000*	*31 August 2001*	*31 August 2000*	*31 August 2001*
Reference						
Accounting	77	77	-	-	77	77
Entitlement	25	32	-	-	32	32
Geographic	34	34	-	-	34	34
Personnel	23	23	-	-	23	23
Payroll	-	-	-	-	-	-
Travel	-	-	-	-	-	-
Total	**159**	**166**	-	-	**166**	**166**
Business areas						
Budget	3	4	-	-	3	4
Insurance	10	11	1	5	11	16
Payroll	6	9	12	8	18	17
Personnel administration	43	44	2	0	45	44
Post management	-	-	-	-	-	-
Procurement	-	-	-	-	-	-
Standard financial	85	89	5	9	90	98
Standard financial — technical cooperation	6	18	16	12	22	30
Time and attendance	6	6	-	-	6	6
Travel and transportation	5	6	-	-	5	6
Treasury	3	3	-	-	3	3
User security	31	31	-	-	31	32
Total	**198**	**221**	**36**	**35**	**234**	**256**
Executive Office						
Standard financial	32	46	-	-	32	46
Personnel administration	39	36	-	-	39	36
Total	**71**	**82**	-	-	**71**	**82**
Grand total	**428**	**469**	**36**	**35**	**464**	**504**

Annex II

Integrated Management Information System implementation dates and usage and reporting statistics as at August 2001

A. Implementation dates

	UNHQ	*UNOV*	*ESCAP*	*UNOG*	*ECLAC*	*UNON*	*ECA*	*ESCWA*
Live date								
Release 1 (HR)	9/93	6/96	8/96	3/97	4/97	6/97	10/97	2/98
Release 2 (Ent)	4/98	8/98	8/98	8/98	9/98	1/99	8/98	7/98
Release 3 (Fin)	4/96	7/99	3/01	4/00	7/00	7/01	10/00	10/99
Release 4 (Payroll)	9/00	10/01	4/02	1/02	4/02	7/02	7/02	7/01

B. Usage statistics as at August 2001

	UNHQ	*UNOV*	*ESCAP*	*UNOG*	*ECLAC*	*UNON*	*ECA*	*ESCWA*
Number of users								
Registered users	1 472	389	407	742	266	481	455	271
Transactions								
Approved personnel actions	265 814	21 062	8 349	65 155	9 750	19 752	11 143	5 277
Recruitment requests	1 780	274	22	799	0	0	15	33
Travel requests	34 554	2 756		3 961	93			786
Pre-encumbrances created	61 900	1 354		4 188	1 940			733
Obligations created	77 406	1 384		3 477	1 948			719
Database size								
Staff members	11 538	965	649	3 893	607	1 521	853	335
Household members	17 747	1 583	1 277	6 037	1 337	3 210	2 220	747

C. Reporting statistics from 1 September 2000 to 31 August 2001

	UNHQ	*UNOV*	*ESCAP*	*UNOG*	*ECLAC*[a]	*UNON*	*ECA*	*ESCWA*
Number of transactions	113 257	14 202	10 205	12 175	2 316	3 425	11 448	7 464
Number of download(s)	18 554	123	1 230	1 963	52	1 265	3 939	451
Number of run report(s)	93 961	14 050	8 974	10 077	2 183	2 141	7 262	6 963
Number of unique users	658	77	96	133	19	29	28	45

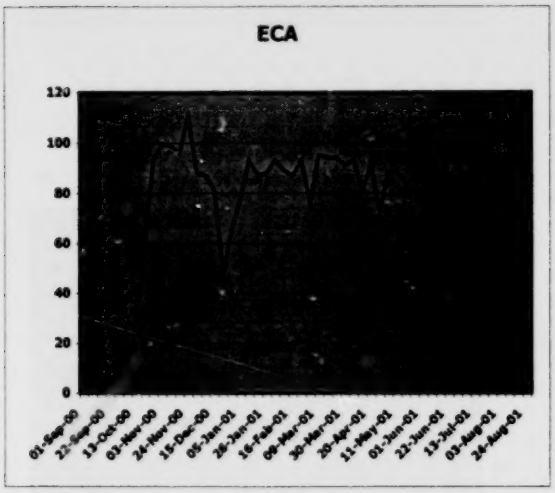
[a] From December 2000.

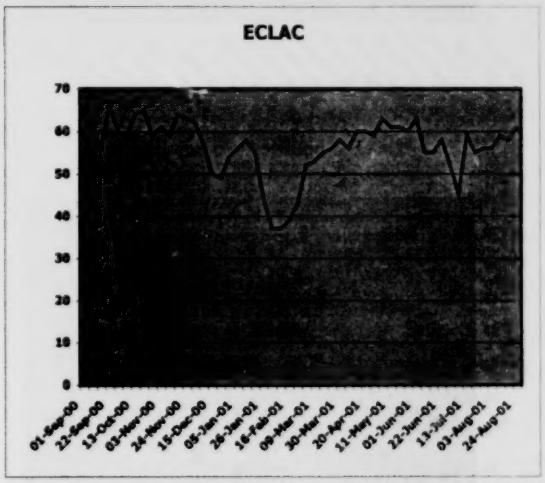
Annex III

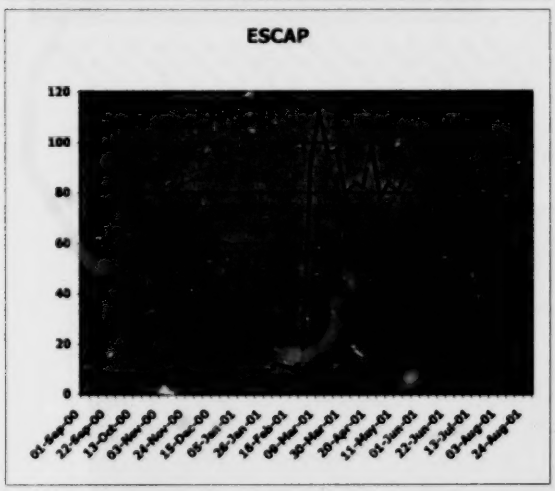
Integrated Management Information System average of distinct users

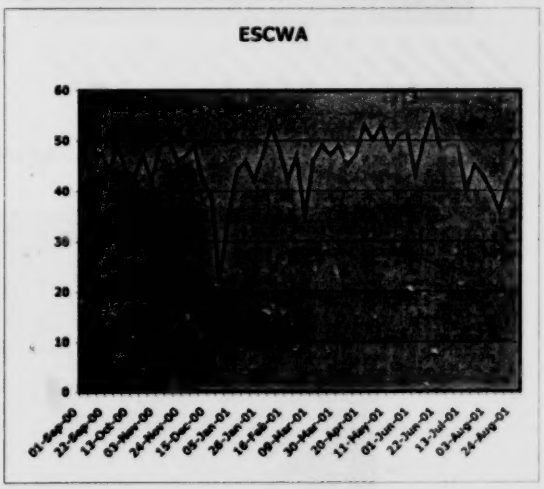
For the reporting period from 1 September 2000 to 31 August 2001, the average distinct users at Headquarters and at offices away from Headquarters accessing IMIS on a normal workday are shown below. The sharp increase in the number of users at ECA, ESCAP and the United Nations Office at Nairobi reflects the implementation of the finance functionality at those offices.

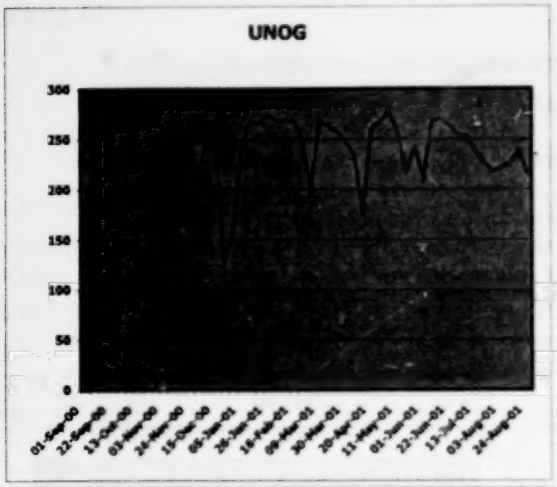
September 2000-August 2001







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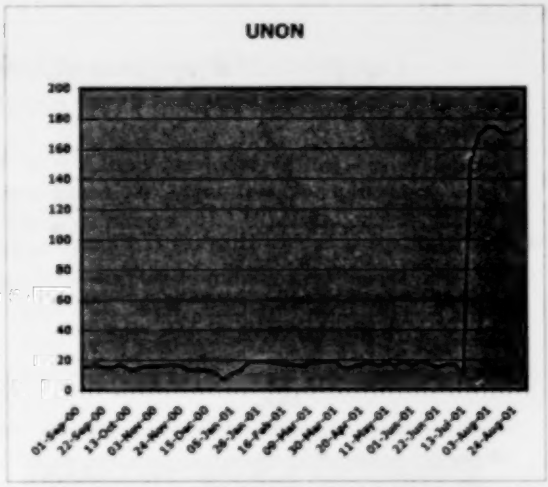
150
100
50
0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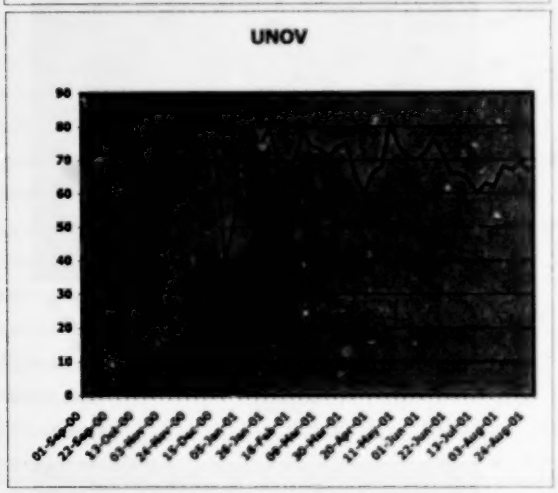
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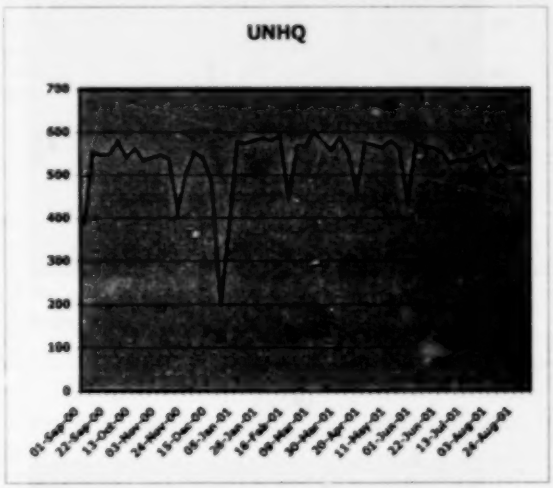
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200
100
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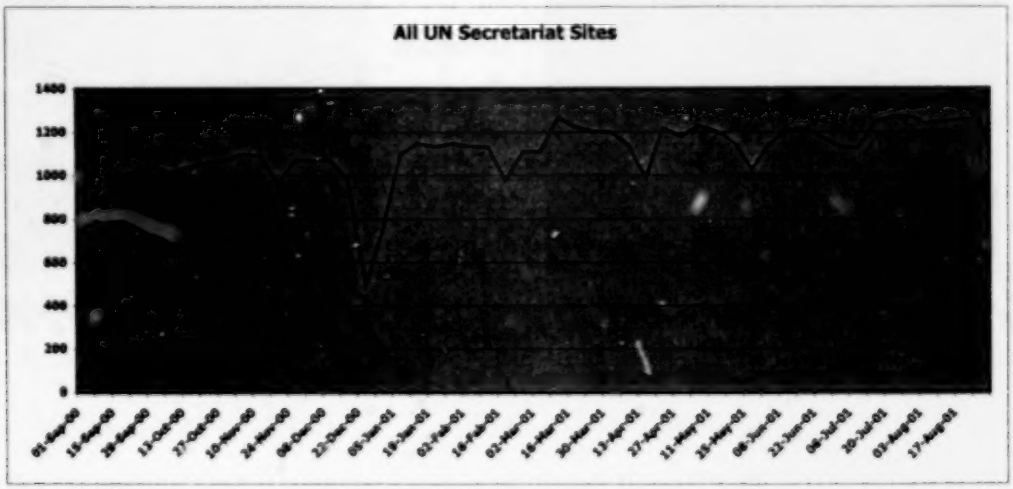
All UN Secretariat Sites
1400
1200
1000
800
600
400
200
0

Annex IV

Integrated Management Information System

Statement of assets, liabilities, reserves and fund balances as at 30 June 2001 (unaudited)

(Thousands of United States dollars)

	2001	*1999*
Assets		
Inter-fund balances receivable	8 418	13 438
Other accounts receivable	13	32
Total assets	**8 431**	**13 470**
Liabilities		
Unliquidated obligations	213	3 004
Other accounts payable	2	9
Total liabilities	**215**	**3 013**
Reserves and fund balances		
Cumulative surplus	8 216	10 457
Total reserves and fund balances	**8 216**	**10 457**
Total liabilities, reserves and fund balances	**8 431**	**13 470**

United Nations A/56/603

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Fifty-sixth session
Agenda item 119 (a)
Human rights questions: implementation of human rights instruments

Status of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Report of the Secretary-General*

1. The General Assembly, by its resolution 39/46 of 10 December 1984, adopted and opened for signature, ratification and accession the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment contained in the annex to that resolution, and called upon all Governments to consider signing and ratifying the Convention as a matter of priority.

2. The Convention was opened for signature in New York on 4 February 1985. In accordance with article 27 thereof, the Convention entered into force on 26 June 1987, on the thirtieth day after the date of deposit with the Secretary-General of the twentieth instrument of ratification or accession.

3. In its resolution 55/89 of 4 December 2000, the General Assembly welcomed the work of the Committee against Torture and took note of its report;[1] urged all States that had not yet done so to become parties to the Convention as a matter of priority; invited all States ratifying or acceding to the Convention and those States that were parties to the Convention and that had not yet done so to consider joining the States parties that had already made the declarations provided for in articles 21 and 22 of the Convention and to consider the possibility of withdrawing their reservations to article 20; urged all States parties to the Convention to notify the Secretary-General of their acceptance of the amendments to articles 17 and 18 of the Convention as soon as possible;[2] urged States parties to comply strictly with their obligations under the Convention, including their obligation to submit reports in accordance with article 19 of the Convention, in view of the high number of reports not submitted; called upon the Office of the United Nations High Commissioner for Human Rights, in conformity with her mandate established in General Assembly resolution 48/141 of 20 December 1993, to continue to provide, at the request of Governments, advisory services for the preparation of national reports to the Committee and for the prevention of torture, as well as technical assistance in the development, production and distribution of teaching material for this purpose; urged States parties to take fully into account the conclusions and recommendations made by the Committee after its consideration of their reports; and requested the Secretary-General to submit to the General Assembly at its fifty-sixth session a report on the status of the Convention.

4. The Commission on Human Rights, in its resolution 2001/62 of 25 April 2001, encouraged States parties to consider limiting the extent of any reservations they lodge to the Convention, to formulate

* The footnote requested by General Assembly resolution 54/248 was not included in the submission.

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any reservations as precisely and narrowly as possible, and to ensure that no reservation is incompatible with the object and purpose of the Convention; it also encouraged States parties to review regularly any reservations made in respect of the provisions of the Convention with a view to withdrawing them.

5. As at 11 June 2001, the Convention had been ratified or acceded to by 124 States; in addition, 11 States had signed the Convention. The list of States that have signed, ratified or acceded to the Convention, as well as the dates of their signature, ratification or accession, is contained in the annex to the present report.

6. As at the same date, 43 of the States parties to the Convention (Algeria, Argentina, Australia, Austria, Belgium, Bulgaria, Cameroon, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Finland, France, Ghana, Greece, Hungary, Iceland, Italy, Liechtenstein, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Russian Federation, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Togo, Tunisia, Turkey, Uruguay, Venezuela and Yugoslavia) had made the declarations provided for in articles 21 and 22 of the Convention. In addition, three States parties (Japan, United Kingdom of Great Britain and Northern Ireland, United States of America) had made the declaration provided for in article 21 only, thus bringing the total number of declarations under that article to 45. Under article 21, a State party to the Convention may declare at any time that it recognizes the competence of the Committee against Torture to receive and consider communications to the effect that a State party claims that another State party is not fulfilling its obligations under the Convention. Under article 22, a State party to the Convention may declare at any time that it recognizes the competence of the Committee to receive and consider communications from or on behalf of individuals subject to its jurisdiction who claim to be victims of a violation by a State party of the provisions of the Convention.

7. The provisions of articles 21 and 22 entered into force on 26 June 1987, in accordance with paragraph 2 of article 21 and paragraph 8 of article 22.

8. The Committee against Torture held its twenty-fifth and twenty-sixth sessions at the United Nations Office at Geneva from 13 to 24 November 2000 and from 30 April to 18 May 2001, respectively. In accordance with article 24 of the Convention, the Committee will submit its annual report,[3] covering its activities at the sessions referred to above, to the States parties and to the General Assembly at its fifty-sixth session.

Notes

[1] *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 44* (A/55/44).

[2] Adopted by the Conference of States Parties to the Convention on 9 September 1992 in accordance with article 29, paragraph 1, of the Convention (CAT/SP/SR.4) and endorsed by the General Assembly in its resolution 47/111 of 16 December 1992; as at 11 June 2001, the amendments had been accepted by 23 States parties: Australia, Bulgaria, Canada, Colombia, Cyprus, Denmark, Ecuador, Finland, France, Germany, Iceland, Liechtenstein, Netherlands, New Zealand, Norway, Philippines, Portugal, Seychelles, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland.

[3] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 44* (A/56/44).

Annex

List of States that have signed, ratified or acceded to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as at 11 June 2001

State	*Date of signature*	*Date of receipt of the instrument of ratification, accession or succession*
Afghanistan	4 February 1985	1 April 1987
Albania		11 May 1994[b]
Algeria[a]	26 November 1985	12 September 1989
Antigua and Barbuda		19 July 1993[b]
Argentina[a]	4 February 1985	24 September 1986
Armenia		13 September 1993[b]
Australia[a]	10 December 1985	8 August 1989
Austria[a]	14 March 1985	29 July 1987
Azerbaijan		16 August 1996[b]
Bahrain		6 March 1998[b]
Bangladesh		5 October 1998[b]
Belarus	19 December 1985	13 March 1987
Belgium[a]	4 February 1985	25 June 1999
Belize		17 March 1986[b]
Benin		12 March 1992[b]
Bolivia	4 February 1985	12 April 1999
Bosnia and Herzegovina[c]		1 September 1993
Botswana	8 September 2000	8 September 2000
Brazil	23 September 1985	28 September 1989
Bulgaria[a]	10 June 1986	16 December 1986
Burkina Faso		4 January 1999 [b]
Burundi		18 February 1993[b]
Cambodia		15 October 1992[b]
Cameroon		19 December 1986[b]
Colombia	10 April 1985	8 December 1987

State	*Date of signature*	*Date of receipt of the instrument of ratification, accession or succession*
Comoros	22 September 2000	
Canada[a]	23 August 1985	24 June 1987
Cape Verde		4 June 1992[b]
Chad		9 June 1995[b]
Chile	23 September 1987	30 September 1988
China	12 December 1986	4 October 1988
Costa Rica	4 February 1985	11 November 1993
Côte d'Ivoire		18 December 1995[b]
Croatia[a]		12 October 1992[c]
Cuba	27 January 1986	17 May 1995
Cyprus[a]	9 October 1985	18 July 1991
Czech Republic[a]		22 February 1993[c]
Democratic Republic of the Congo		18 March 1996[b]
Denmark[a]	4 February 1985	27 May 1987
Dominican Republic	4 February 1985	
Ecuador[a]	4 February 1985	30 March 1988
Egypt		25 June 1986[b]
El Salvador		17 June 1996[b]
Estonia		21 October 1991[b]
Ethiopia		14 March 1994[b]
Finland[a]	4 February 1985	30 August 1989
France[a]	4 February 1985	18 February 1986
Gabon	21 January 1986	8 September 2000
Gambia	23 October 1985	
Georgia		26 October 1994[b]
Germany	13 October 1986	1 October 1990
Ghana	7 September 2000	7 September 2000
Greece[a]	4 February 1985	6 October 1988
Guatemala		5 January 1990[b]

State	*Date of signature*	*Date of receipt of the instrument of ratification, accession or succession*
Guinea	30 May 1986	10 October 1989
Guinea-Bissau	12 September 2000	
Guyana	25 January 1988	19 May 1988
Honduras		5 December 1996[b]
Hungary[a]	28 November 1986	15 April 1987
Iceland[a]	4 February 1985	23 October 1996
India	14 October 1997	
Indonesia	23 October 1985	28 October 1998
Ireland	28 September 1992	
Israel	22 October 1986	3 October 1991
Italy[a]	4 February 1985	12 January 1989
Japan[d]		29 June 1999[b]
Jordan		13 November 1991[b]
Kazakhstan		26 August 1998[b]
Kenya		21 February 1997[b]
Kuwait		8 March 1996[b]
Kyrgyzstan		5 September 1997[b]
Latvia		14 April 1992[b]
Lebanon		5 October 2000[a]
Libyan Arab Jamahiriya		16 May 1989[b]
Liechtenstein[a]	27 June 1985	2 November 1990
Lithuania		1 February 1996[b]
Luxembourg[a]	22 February 1985	29 September 1987
Malawi		11 June 1996[b]
Mali		26 February 1999[b]
Malta[a]		13 September 1990[b]
Madagascar	1 October 2001	
Mauritius		9 December 1992[b]
Mexico	18 March 1985	23 January 1986

State	*Date of signature*	*Date of receipt of the instrument of ratification, accession or succession*
Monaco[a]		6 December 1991[b]
Morocco	8 January 1986	21 June 1993
Mozambique		14 September 1999[b]
Namibia		28 November 1994[b]
Nepal		14 May 1991[b]
Netherlands[a]	4 February 1985	21 December 1988
New Zealand[a]	14 January 1986	10 December 1989
Nicaragua	15 April 1985	
Niger		5 October 1998
Nigeria	28 July 1988	28 June 2001
Norway[a]	4 February 1985	9 July 1986
Panama	22 February 1985	24 August 1987
Paraguay	23 October 1989	12 March 1990
Peru	29 May 1985	7 July 1988
Philippines		18 June 1986[b]
Poland[a]	13 January 1986	26 July 1989
Portugal[a]	4 February 1985	9 February 1989
Qatar		11 January 2000[b]
Republic of Korea		9 January 1995[b]
Republic of Moldova		28 November 1995[b]
Romania		18 December 1990[b]
Russian Federation[a]	10 December 1985	3 March 1987
Sao Tome and Principe	6 September 2000	
Saudi Arabia		22 September 1997[b]
Saint Vincent and the Grenadines[b]		1 August 2001
Senegal[a]	4 February 1985	21 August 1986
Seychelles		5 May 1992[b]
Sierra Leone	18 March 1985	25 April 2001
Slovakia[a]		29 May 1993[c]

State	*Date of signature*	*Date of receipt of the instrument of ratification, accession or succession*
Slovenia[a]		16 July 1993[b]
Somalia		24 January 1990[b]
South Africa[a]	29 January 1993	10 December 1998
Spain[a]	4 February 1985	21 October 1997
Sri Lanka		3 January 1994[b]
Sudan	4 June 1986	
Sweden[a]	4 February 1985	8 January 1986
Switzerland[a]	4 February 1985	2 December 1986
Tajikistan		11 January 1995[b]
The former Yugoslav Republic of Macedonia		12 December 1994[c]
Togo[a]	25 March 1987	18 November 1987
Tunisia[a]	26 August 1987	23 September 1988
Turkey[a]	25 January 1988	2 August 1988
Turkmenistan		25 June 1999
Uganda		3 November 1986[b]
Ukraine	27 February 1986	24 February 1987
United Kingdom of Great Britain and Northern Ireland[d]	15 March 1985	8 December 1988
United States of America[d]	18 April 1988	21 October 1994
Uruguay[a]	4 February 1985	24 October 1986
Uzbekistan		28 September 1995[b]
Venezuela[a]	15 February 1985	29 July 1991
Yemen		5 November 1991[b]
Yugoslavia[c]		12 March 2001
Zambia		7 October 1998[b]

[a] Made the declaration under articles 21 and 22 of the Convention.
[b] Accession.
[c] Succession.
[d] Made the declaration under article 21 of the Convention.

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Fifty-sixth session
Agenda item 166
Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 5 November 2001 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to draw your attention to the latest attack in the ongoing Palestinian campaign of terrorism against Israel.

At approximately 4 p.m. (local time) yesterday, a Palestinian terrorist, armed with an automatic assault rifle, opened fire on passengers on a public bus as it reached an intersection in the northern Jerusalem neighbourhood of French Hill. Two Israeli teenagers, Shoshana Ben-Yishai, age 16, and Meni Regev, age 14, were killed in the attack, and approximately 45 others were wounded, several of them seriously. The terrorist organization Islamic Jihad claimed responsibility for the attack.

Yesterday's attack represents the latest incident in the continuing campaign of Palestinian terrorism directed against Israeli civilians. Previous attacks have been detailed in my letters dated 24 October 2001 (A/56/506-S/2001/1011), 19 October 2001 (A/56/492-S/2001/990), 17 October 2001 (A/56/483-S/2001/975), 8 October 2001 (A/56/450-S/2001/948), 5 October 2001 (A/56/444-S/2001/943), 3 October 2001 (A/56/438-S/2001/938), 24 September 2001 (A/56/406-S/2001/907), 20 September 2001 (A/56/386-S/2001/892), 17 September 2001 (A/56/367-S/2001/875), 7 September 2001 (A/56/346-S/2001/858), 4 September 2001 (A/56/331-S/2001/840), 30 August 2001 (A/56/325-S/2001/834), 27 August 2001 (A/56/324-S/2001/825), 13 August 2001 (A/56/294-S/2001/787), 9 August 2001 (A/56/286-S/2001/780), 8 August 2001 (A/56/280-S/2001/775), 6 August 2001 (A/56/272-S/2001/768), 27 July 2001 (A/56/225-S/2001/743), 26 July 2001 (A/56/223-S/2001/737), 17 July 2001 (A/56/201-S/2001/706), 13 July 2001 (A/56/184-S/2001/696), 3 July 2001 (A/56/138-S/2001/662), 2 July 2001 (A/56/131-S/2001/656), 21 June 2001 (A/56/119-S/2001/619), 19 June 2001 (A/56/98-S/2001/611), 18 June 2001 (A/56/97-S/2001/604), 13 June 2001 (A/56/92-S/2001/585), 11 June 2001 (A/56/91-S/2001/580), 4 June 2001 (A/56/85-S/2001/555), 30 May 2001 (A/56/81-S/2001/540), 25 May 2001 (A/56/80-S/2001/524), 18 May 2001 (A/56/78-S/2001/506), 11 May 2001 (A/56/72-S/2001/473), 9 May 2001 (A/56/69-S/2001/459), 1 May 2001 (A/55/924-S/2001/435), 23 April 2001 (A/55/910-S/2001/396), 16 April 2001 (A/55/901-

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S/2001/364), 28 March 2001 (A/55/863-S/2001/291), 27 March 2001 (A/55/860-S/2001/280), 26 March 2001 (A/55/858-S/2001/278), 19 March 2001 (A/55/842-S/2001/244), 5 March 2001 (A/55/821-S/2001/193), 2 March 2001 (A/55/819-S/2001/187), 14 February 2001 (A/55/787-S/2001/137), 13 February 2001 (A/55/781-S/2001/132), 2 February 2001 (A/55/762-S/2001/103), 25 January 2001 (A/55/748-S/2001/81), 23 January 2001 (A/55/742-S/2001/71), 28 December 2000 (A/55/719-S/2000/1252), 22 November 2000 (A/55/641-S/2000/1114), 20 November 2000 (A/55/634-S/2000/1108) and 2 November 2000 (A/55/540-S/2000/1065).

The Government of Israel holds the Palestinian Authority responsible for yesterday's attacks, in the light of its active role in orchestrating a campaign of violence and terrorism and its continuing refusal to take concerted action to bring such activities to an end. The Palestinian Authority has not only failed to control violent terrorist organizations that operate in the territory under its control, but it has also failed to take action against members of its own security forces who have perpetrated, or assisted in the perpetration of, several attacks against Israeli civilians.

It should also be noted that Islamic Jihad has its headquarters in Damascus and receives financial assistance from Iran and logistic assistance from Syria.

Israel continues to hope that the Palestinian leadership's condemnations of this and other recent attacks are sincere and will be followed by concrete measures intended to restore calm and security. Had such measures been implemented previously, in conformity with signed agreements reached between the sides, scores of innocent lives would have been spared. However, it is the discrepancy between the declarations of the Palestinian leadership and its actions on the ground that is perpetuating the violence, permitting terrorism to flourish in its territory, and making it increasingly difficult to achieve lasting peace and security in the region.

The Palestinian leadership, by failing to dismantle the terrorist infrastructure that it has allowed to take root and by allowing the territory under its control to serve as a staging ground for terrorist attacks, is not acting in conformity with global efforts to combat terrorism. Israel calls on the international community to exert maximum pressure on all States and entities that support terrorism or are actively engaged in terrorist operations and act comprehensively and without distinction to ensure their compliance with international law.

I should be grateful if you would arrange to have the text of this letter circulated as a document of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Yehuda **Lancry**
Permanent Representative

United Nations A/56/605–S/2001/1050

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Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 6 November 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General

With reference to the letter dated 25 October 2001 addressed to you by the Permanent Representative of Israel (A/56/507-S/2001/1012), I should like to inform you that the Government of the Syrian Arab Republic rejects in their entirety the sophistries and distortions of fact that it contains. It wishes to state as follows:

1. Any talk of international law, Security Council resolutions and peace coming from Israel lacks all credibility, because Israel is pursuing a policy of genocide directed against the Palestinian people as the world listens and looks on. The massacres it committed at Dayr Yasin, Qibyah, Sabra and Shatilla, and Qana are only a few examples of Israel's involvement in State terrorism. The Israeli occupation of Palestinian and Syrian territories that has been maintained for more than 34 years is manifest proof of Israel's antagonism to peace and the resolutions that embody international legitimacy, which are to be regarded as an integral whole. Israel therefore has no right to continue disseminating its lies and its odd, contorted and unacceptable interpretations of the resolutions of the United Nations and its organs.

2. Israel, which embraces State terrorism as its mode of action and its established policy, is trying to promote its own concepts of terrorism and its perverse understanding of Security Council resolution 1373 (2001). It is Israel itself that refuses to comply with Security Council resolutions 242 (1967) and 338 (1973) requiring its full withdrawal from the occupied Arab territories. Israel insists on ignoring these resolutions, which embody international legitimacy, while every country in the world acknowledges that it is impossible to achieve a just and comprehensive peace in the region without their implementation. In addition to the enforcement of rightful claims, these resolutions also aim at achieving security and stability. The Israeli occupation of Arab territories, as well as representing flagrant aggression and the usurpation of national rights, is also organized terrorism and indeed the highest degree of terrorism by any legal or criminal standard.

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3. The Israeli scheme to distort Security Council resolution 1373 (2001) is a malicious attempt to deprive the resolution of its true substance. In practice, Israel is demanding in its aforesaid letter that the international community should join it in killing, assassinating and slaughtering more Palestinians, Lebanese and Syrians, in demolishing homes, in uprooting civilians and in destroying the environment. We firmly believe that Israel's interpretations of this resolution are the greatest danger to the mobilization of the international community to implement the resolution in the context of eliminating international terrorism in all its forms and manifestations. It must here be stressed that it is Israel that brought terrorism to the Middle East and that has practised it from its foundation up to the present time. There are a number of its leaders who are being asked to appear before international tribunals, having committed numerous terrorist acts.

4. The Syrian Arab Republic expresses its solidarity with Lebanon in its struggle to regain all of its occupied territory, and it is committed to the resolutions of the Arab Summit Conference and the Council of the League of Arab States that support Lebanon and its people. In its resolution 6115 of 10 September 2001 (S/2001/957, annex), the Council of the League:

> "Strongly condemns Israel, which continues to occupy Lebanese territory and positions on the Lebanese frontier, still detains Lebanese in its prisons, refuses to hand over to the United Nations all the maps indicating the location of mines laid by the forces of occupation and continues to infringe the sovereignty of Lebanon on land, at sea and in the air; [and] denounces the Israeli attacks and threats against Lebanon and Syria ... ."

5. The Syrian Arab Republic affirms that it is interested in combating all forms of terrorism and in eliminating its sources and roots by means of international cooperation within the framework of the United Nations with a view to achieving tangible results in the suppression of this international bane.

6. The Syrian Arab Republic responded to the other Israeli allegations made here in the annex to document A/55/926-S/2001/438 of 3 May 2001.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under agenda item 166, and of the Security Council.

(*Signed*) Fayssal **Mekdad**
Chargé d'affaires a.i.

United Nations A/56/606

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Fifty-sixth session
Agenda item 29
Follow-up to the outcome of the Millennium Summit

Letter dated 5 November 2001 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

It gives me great pleasure to forward herewith the memorandum of the Government of Mongolia on the measures taken by Mongolia to implement the Millennium Declaration (see General Assembly resolution 55/2).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly under agenda item 29.

(*Signed*) J. **Enkhsaikhan**
Ambassador
Permanent Representative

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Annex to the letter dated 5 November 2001 from the Permanent Representative of Mongolia to the United Nations addressed to the Secretary-General

Memorandum on implementation of the Millennium Declaration: Mongolia's policy measures

At the turn of the new century the world leaders reiterated in the Millennium Declaration their common vision for a prosperous, peaceful and just world, and have set specific goals to materialize the vision. The Government of Mongolia is fully determined to attain the goals of the Millennium Declaration at the national level and has been taking concrete steps to that end. Thus having made a comprehensive review of the status of its mid-and-long-term goals and commitments undertaken in 1990s as a follow-up to the United Nations summits and conferences, my Government is now making the necessary adjustments in its policy and programs to meet the time-bound millennium development goals. In this regard, Mongolia highly commends an integrated and comprehensive approach outlined by the Secretary-General in the Road map towards the implementation of the Millennium Declaration.

Mongolia's policy measures towards the implementation of the Millennium Declaration have been drawn from the discussions and recommendations of a joint conference organized by the Government of Mongolia and the United Nations under the theme "40 years of Mongolia-United Nations cooperation: Implementation of the Millennium Declaration" on 3 September 2001 in Ulaanbaatar on the occasion of the 40th anniversary of Mongolia's admission to the United Nations.

The Constitution of Mongolia, adopted in 1992, is reflective of the fundamental values of freedom, equality, solidarity, tolerance and respect for nature outlined in the Millennium Declaration through setting out the following as the basic goals of the country and the society: strengthening the independence and sovereignty of the nation; cherishing human rights and freedoms, justice and national unity; inheriting the traditions of national statehood, history and culture; respecting the accomplishments of human civilization; and aspiring toward the supreme objective of building a humane, civil and democratic society. Furthermore, the principle of shared responsibility has found reflection in the basic concepts of national security and foreign policy adopted back in 1994.

Over the past decade the consecutive governments of Mongolia have endeavoured to promote these goals by mobilizing domestic resources, including human resources, as well as drawing on the external experience and assistance of the international community. As a result, the political reforms have progressed quite quickly and smoothly, with the basic institutions of representative democracy in place and further consolidated with each passing year.

As to economic reforms, significant headway has been made in fostering a market economy, achieving macro-economic stability, advancing privatization and improving the infrastructure. However, much still needs to be done. In addition to its difficulties associated with transition the singular land-locked location and ecological conditions pose

a most fundamental challenge to Mongolia's economic security thus making her a prime case of economic vulnerability. Maximizing the external and internal factors conducive to Mongolia's economic development has therefore been an overriding priority of Mongolia's national security strategy from the start of transition in the early 1990s.

In pursuing its foreign policy based on the continuity of a multi-pillar, open and pro-active policy, Mongolia will continue to develop and expand its friendly and beneficial relations with other countries, and to strive to gradually integrate its economy into regional cooperative arrangements and multilateral trading system.

Mindful of the shared responsibility for promoting international peace, security and development, Mongolia is trying to play a supportive role in the common endeavors of the international community and take an active part in areas where it could contribute.

In the area of peace, security and disarmament, Mongolia has throughout supported the policies and actions to strengthen peace and security, promote peaceful resolution of conflicts and disputes, and take effective measures to prevent wars and armed conflicts. It supports progressive development of international law and strengthening respect for the rule of law in international relations. On Mongolia's proposal in 1998, within the United Nations Decade of International Law, the General Assembly adopted the Principles and Guidelines for International Negotiations[1], underlining that international negotiations constitute a flexible and effective means for, among other things, the peaceful settlement of disputes among States and for the creation of new international norms of conduct. The General Assembly specifically underlined that identification of these principles and guidelines could "contribute to enhancing the predictability of negotiating parties, reducing uncertainty and promoting an atmosphere of trust at negotiations".

Mongolia is party to over 140 international treaties and conventions, including most multilateral treaties dealing with disarmament, protection of the environment and human rights. Mongolia was among the first to ratify the Comprehensive Test-Ban Treaty (CTBT) and has offered its three stations for the use of the International Monitoring System to monitor the Treaty's implementation. Mongolia strongly supports the creation of nuclear-weapon-free zones in various parts of the world as measures contributing to the achievement of a world free of nuclear weapons, and has declared in 1992 its own territory a nuclear-weapon-free zone. Over the last few years it has been working with the States concerned to institutionalize that status[2] as its contribution to making a territory almost of the size of Western Europe into a zone of peace, predictability and stability. Mongolia fully supports the elaboration of a protocol for verification of compliance with the Convention on the Prohibition of Biological Weapons.

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[1] See General Assembly resolution 53/101 of 8 December 1998.

[2] See General Assembly resolutions 53/77 D of 4 December 1998 and 55/33 S of 20 November 2000.

Mongolia has signed the Rome Statute of the International Criminal Court and is in the process of ratifying it. To further strengthen international legality, Mongolia supports convening at an appropriate time of an international conference of plenipotentiaries to consider the draft articles on Responsibility of States for Internationally Wrongful Acts with a view to adopting them as part of conventional international law.

Mongolia is party to 9 international conventions aimed at combating specific manifestations of international terrorism.[3] Mongolia shall sign the 1999 International Convention for the Suppression of the Financing of Terrorism during this session of the General Assembly. It supports the speediest conclusion of an international convention against nuclear terrorism as well as a comprehensive convention on international terrorism as concrete legal means to fight terrorism. Bearing in mind the increasing threat of international terrorism in the wake of the tragic events of 11 September, the Government of Mongolia has proposed to convene a special session of the General Assembly to develop a comprehensive strategy to uproot international terrorism through global and concerted action.

The Millennium Declaration called for strengthening cooperation between the United Nations and regional organizations. Mongolia fully supports and advocates such cooperation. Being part of the Northeast Asia region, the only sub-region that lacks a mechanism at the governmental level where security issues of concern could be discussed collectively, Mongolia proposed in 2000 to start exploring the possibility of engaging in a dialogue on such a mechanism by exchanging views on its possible framework.

Mongolia has always supported peace-keeping operations as one of the important means of maintaining international peace and security. Since mid-1990s Mongolia has taken deliberate steps and made measurable progress in developing its peacekeeping capability through, inter alia, establishing a Peacekeeping Directorate at the General Staff of the Armed Forces as a focal point for training of peace-keepers and developing its peacekeeping doctrine. Aside from a national seminar on PKOs held in 1999 with the assistance of DPKO of the United Nations, Mongolian nationals have been actively participating in regional and international training courses to develop a multinational peacekeeping approach. Over the last few years despite its financial constraints Mongolia has been able to fully pay all its dues related to peacekeeping operations. Furthermore, willing to contribute to the United Nations peacekeeping missions through its direct participation, Mongolia signed with the United Nations in 1999 a memorandum of understanding on standby arrangements to provide staff officers, military observers and medical officers. Mongolia stands ready to actively cooperate with the United Nations and make a practical contribution to its peacekeeping operations.

[3] Since Mongolia is land-locked and has no fleet, it has not acceded to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigations and to the 1988 Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.

In the past years Mongolia has been an active participant in international activities aimed at strengthening institutions and processes of democratic governance, protecting human rights and promoting democratic consolidation. Mongolia's overall accomplishments in embracing democracy and human rights have been impressive. The 1992 Constitution guarantees the fundamental freedoms and human rights. Mongolia is party to all major international human rights instruments. During the 56th session of the General Assembly Mongolia intends to sign the two optional protocols to Convention on the Rights of the Child. Earlier this year Mongolia has set up an independent National Human Rights Commission to protect human rights of its citizens. Since 1990 Mongolia successfully held four parliamentary and three presidential elections all being free and fair. The major task now is consolidation of democracy and the rule law, particularly through strengthening an independent judiciary, fighting corruption and ensuring fuller gender equality. Sustainability of political reforms, however, to a great extent depends on the success of economic reforms to deliver the promise of democracy. Willing to share its fresh experience of peaceful and simultaneous transition to democracy and a market-oriented economy over the last decade, Mongolia has offered to host the fifth international conference of new and restored democracies in 2003 in Ulaanbaatar.

Since 1990 Mongolia's transition from the centrally planned economy to a market one has been by and large successful with over 70 percent of the GDP being produced today by the private sector. On the other hand, this period has proved to be painful in socio-economic terms. The transition period has entailed considerable hardships, especially in the sphere of human development.

Due to heavy dependence of the economy on a few export commodities, Mongolia's economy remains highly vulnerable to external shocks and harsh terms of trade. Trade represents an important engine of growth and a means of developing cooperation among nations. However, due to their geographical location, the land-locked countries find themselves structurally disadvantaged to equally benefit from trade liberalization. It is for this reason the Millennium Declaration recognized the special needs and problems of the 30 land-locked developing countries (LLDCs), half of which are also the least developed countries. High transit costs of their exports and imports negate whatever comparative advantage they could have in world trade. Therefore, Mongolia, jointly with other LLDCs, is endeavoring to draw the international community's attention to the problems of this group of countries so as to collectively address them. In this regard, Mongolia places high hopes on the international ministerial meeting on transit transport cooperation scheduled for 2003 in Kazakhstan.

Since May 2000 three meetings of trilateral negotiations on draft Transit Traffic Framework Agreement between Mongolia, the People's Republic of China and the Russian Federation have been held with the support of the relevant UN agencies. In this regard, Mongolia appreciates the active participation and continued efforts of its neighbors towards a successful conclusion of the trilateral agreement aimed at increasing efficiency and effectiveness of the transit transport system.

Given the potential of information and communications technology (ICT) for development, like other countries, Mongolia is making every effort to take full advantage of the ICT revolution. Since mid-1990s Mongolia has been encouraging introduction of ICT, especially computer education and wider use of internet. In 2000 the Government adopted a national strategy of ICT development with a view to swiftly promoting ICT and providing access to the population living in remote areas. Mongolia believes that the World Summit on the Information Society, to be held in 2003 under the auspices of the International Telecommunications Union, should play an important role in identifying the concrete ways and means of narrowing the ever increasing digital divide in the world as well as ensuring that the benefits of new technologies are made available to all.

Mongolia fully supports the concept of human security, seeing in it potentials of promoting sustainable human development. Thus one month after the adoption of the Millennium Declaration, the Government approved a national program on "Good Governance for Human Security" (GGHS) facilitating policy focus, coherence and sustainability of the overall development strategy, including poverty reduction. Furthermore, in June 2001, the Government has adopted an Interim Poverty Reduction Strategy Paper (I-PRSP), which is expected to develop into a full strategy in 2002. This strategy would focus on directing the benefits from the private-sector-led economic growth to social development and delivering improved services to the population.

Poverty is one of the critical issues that Mongolia faces today. Thirty six percent of the population lives in poverty - a phenomenon that, unfortunately, accompanied the process of transition. The Government of Mongolia implemented the 1994-2000 National Poverty Alleviation Program (NPAP) with the support of the international community. The primary goal of the NPAP was to halt the growing tendency of poverty in the country. To that end more than 13.000 small scale projects have been undertaken with active participation of the civil society. The national survey conducted in 2000 has shown that the level of poverty has not increased despite the continued economic hardships.

In accordance with the present poverty reduction strategy, which is harmonized with and supported by broad-based, people-oriented and labor-intensive growth strategies, the Government of Mongolia is aiming to reduce by year 2005 the number of people living in extreme poverty by at least 25 percent, and halve it by year 2015 as envisaged in the Millennium Declaration.

The impressive achievements in education and health sectors, reached prior to 1990, have been under constant pressure of unraveling during the transition period. Though in 1989, 1.5 percent of children aged 8-15 were illiterate, in 2000 illiteracy rate among that category of children increased almost three fold. Number of school drop-outs, especially in rural areas, has increased. Provision of herdsmen's children with dormitory/boarding facilities also remains a major concern. The education sector reform is underway to address the challenges of this crucial component of development and, despite the difficulties, the Government set the goal to achieve universal primary education by year 2005.

As the humankind enters the new millennium with the hope for harnessing the great potential of new technologies, new ideas and unprecedented wealth, billions of people are not able to participate fully in the development processes, while hundreds of millions do not have access to their basic right – the right to education. Mongolia fully associates itself with the growing consensus that renewed efforts should be made to eradicate illiteracy. In this regard, Mongolia underlines the importance of launching the United Nations Literacy Decade to be proclaimed by this session of the General Assembly to give further impetus to the commitments taken by the international community at the Dakar World Education Forum and the Millennium Summit.

Maternal and child mortality rates are still high. In 1990-1999 infant and under-five mortality rates have decreased by more than 40 percent. Maternal mortality ratio in 1996-1999 per 100,000 live births were on average 121 in the capital city and 175 in rural Mongolia. This remains one of three main concerns in the health sector along with high rate of infectious diseases and epidemiological death causes. These concerns are closely related to inefficiency and fragmentation of the health care financing.

The main challenge of the health sector is to improve accessibility and quality of health services, efficiently targeting the poor and vulnerable, especially in remote regions. Through the effective implementation of the Health Sector Master Plan, the Government is committed to meet the Millennium Declaration goals to reduce the mortality rates for infants and children by half.

The increasing recurrence and increase in the scale of natural disasters such as forest fires, droughts and "dzuds" (severe winters) in recent years have had heavy social, economic and environmental consequences for Mongolia. Heavy losses in economic terms have sapped the national budget and seriously affected the GDP growth rates over the last two years. The Government is working to improve the country's national disaster management capacity and find long-term solutions to predict and minimize the effects of natural disasters.

The world leaders at the Millennium Summit have declared to promote gender equality and empowerment of women as effective ways to promote social justice, combat poverty, hunger and disease, and to stimulate development that is truly sustainable. According to some estimates, out of the total female population over 1.9 billion live in rural areas. Over the past two decades, the number of rural women living in absolute poverty has risen by 50 percent, as opposed to 30 percent for men. Therefore efforts of the international community, in our view, need to be reinvigorated towards improving the situation of women in rural areas. In this context, the conclusions and recommendations of the UN expert group meeting on "The situation of rural women within the context of globalization", hosted by the Government of Mongolia in Ulaanbaatar last June should be given serious consideration.

Impact of global warming, land degradation and desertification on the environment, economy and way of life have notably been mounting. As a country highly vulnerable to environmental degradation, Mongolia attaches great importance to the implementation of the relevant international conventions. As party to all the major environmental conventions, including the Kyoto Protocol, the Convention to Combat Desertification and the Convention on Biological Diversity, Mongolia has adopted a package of 25 environmental laws and 20 national programs to implement them. In 1998, Mongolia launched its national sustainable development agenda for the 21st century up to the year 2020, known as MAP-21 (Mongolian Action Program for the 21st century) as a follow up to the Rio Summit.

Mongolia stands resolved to fully implement the Millennium Declaration goals. Domestic resources to meet these goals are limited, especially in light of growing concerns for world economic downturn exacerbated by the terrorist attacks of 11 September. However, we have no doubt that the continued support and assistance of the international community - both our bilateral and multilateral development partners - will remain crucial in our efforts to achieve the Millennium Declaration goals. Furthermore, Mongolia believes that the upcoming International Conference on Financing for Development and the World Summit on Sustainable Development will provide fresh impetus to the attainment of these goals.

Mongolia has taken first steps towards implementing the goals of the Millennium Declaration. It believes that with political will and resources, the noble goals of the Declaration are attainable. Spirit of partnership and shared responsibility that has shaped the Millennium Declaration are also essential to translate the vision into reality. To this end Mongolia is prepared to closely cooperate with the UN family organizations, its fellow members and international financial and economic institutions.

United Nations A/56/607-E/2001/106

General Assembly
Economic and Social Council

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General Assembly
Fifty-sixth session
Agenda item 12
Report of the Economic and Social Council

Economic and Social Council
Resumed substantive session of 2001
Agenda item 7
Coordination, programme and other questions

Identical letters dated 2 November 2001 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the General Assembly and the President of the Economic and Social Council

I have the honour to transmit the summary and conclusions of a recent seminar on the issue of cooperation and coordination between the principal United Nations organs (see annex).

The seminar, organized by the Netherlands in cooperation with the International Peace Academy, was held on 19 and 20 October 2001 in Tarrytown, New York. Participants in the seminar were United Nations Ambassadors representing Member States in the Security Council and/or the Economic and Social Council and the General Assembly.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 12, and of the Economic and Social Council, under agenda item 7.

(*Signed*) Dirk Jan **van den Berg**
Ambassador
Permanent Representative

01-62662 (E) 091101

Annex to the identical letters dated 2 November 2001 from the Permanent Representative of the Netherlands to the United Nations addressed to the President of the General Assembly and the President of the Economic and Social Council

The United Nations system in the new millennium: fostering substantive and operational linkages in the implementation of peace

Report on the high-level retreat, 19-20 October 2001, Tarrytown, United States of America

Summary, conclusions and next steps

Introduction

On 19 and 20 October 2001, the International Peace Academy hosted a high-level retreat in Tarrytown, New York, which brought together 30 Permanent and Deputy Permanent Representatives of the Security Council, the Economic and Social Council and a few Member States as well as relevant high-level Secretariat representatives for a dinner on Friday evening and a full day meeting on Saturday, 20 October. The retreat was initiated and generously funded by the Government of the Kingdom of the Netherlands.

The purpose of the retreat was to discuss the respective roles of the primary intergovernmental bodies of the United Nations and how these bodies could be better coordinated to increase the effectiveness of the United Nations in peace-building. Based on an initial concept paper by the International Peace Academy, the meeting occasioned a rich debate on the current state of coordination within the United Nations system, a diagnosis of the need for, but also of the obstacles to, improved coordination among the intergovernmental bodies and offered concrete proposals to improve their consultation and, possibly, coordination in the future.

Overview

Participants acknowledged the following key aspects of peace-building in the current context:

- The primarily intra-State nature of conflicts in the post-Cold War era has posed new and complex challenges. Violent conflicts, especially the intra-State conflicts that have characterized the past decade, necessitate long-term, multifaceted and multicomponent peace-building to create the conditions for sustainable and durable peace. This has contributed to a blurring of the distinction between the traditionally separate domains of peace and security, and economic, social and developmental matters.

- Cooperation to address the complex challenges of peace-building holistically has begun between and among field actors, and the United Nations Secretariat, funds, programmes and agencies. However, the potential of the primary

intergovernmental organs has been underutilized, despite the increasing convergence of their programmes of work.

- Failure to initiate consultation, and possibly coordination, among the intergovernmental bodies reflects negatively on United Nations membership and severely damages the seamlessness of operations attempting to create, maintain and build peace in war affected areas.

- While there can be no strict division of labour among the primary intergovernmental bodies, it has become urgent for Member States to address how they can work more closely together to contribute to the establishment of self-enforcing peace through integrated and multifaceted peace-building.

Participants further agreed on the following points:

- The question of how the intergovernmental bodies can work more closely together is not new. It has however become increasingly pressing, as peace-building has become and is likely to remain one of the primary challenges facing the United Nations membership in the near future, not least in Afghanistan.

- The main obstacle to increased consultation and, perhaps, coordination among the primary intergovernmental bodies is procedural, not substantive. Excessive rigidity characterizes the functioning of the bodies, which is compounded by political sensitivities regarding the appropriate role and membership of each. This militates against effective interaction among them.

- However, the tragic events of 11 September have resulted in a profound shift in attitude, creating willingness on the part of Member States to cooperate broadly on the maintenance of peace and security around the world. This unique window of opportunity to work together should be seized and carried forward in days and weeks to come by the intergovernmental bodies.

- The Security Council has, in practice, taken on the primary role in peace-building largely by default, not because it is necessarily best placed to do so. The Council could not and should not be the only intergovernmental body involved in peace-building. The Economic and Social Council in particular, but also the General Assembly, as well as the executive boards of the United Nations funds and agencies, have important roles to play. The most pressing question relates to the timing and nature of their respective roles and how these could be better integrated.

- Informal, case-by-case and ad hoc consultation and coordination among the intergovernmental bodies is likely to be most effective, at least in the initial stages of their increased interaction. To this end, several proposals were put forward by participants (see below: Solutions and next steps).

Diagnosis and summary of key points

Three key and interrelated themes emerged from the discussion and can be grouped broadly under the following headings: accountability, resources and results.

Accountability

- Because peace-building has emerged piecemeal, there has been no clear assignment of responsibility for it among the intergovernmental bodies. However, the spectrum of intergovernmental responsibility and accountability should be viewed as a continuum, beginning with mission planning and mandating and ending with self-sustaining peace in a given country/region. In this respect, it is of paramount importance that mandates are created with clear objectives and exit strategies.

- The distinction between peacekeeping and peace-building has become increasingly blurred, resulting in coordination challenges between and among at least three levels of actors within the United Nations system: those in the field; the Secretariat departments and agencies, funds and programmes; and the intergovernmental bodies. This is compounded by the host of non-United Nations actors that play an equally important peace-building role in the field, but whose work can undermine United Nations initiatives if their efforts are not jointly conceived and implemented. Improved coordination at and among each of these levels is crucial to the success of peace-building initiatives and requires integrated mission thinking in structures that match and are compatible with each other. The onus is also on the intergovernmental bodies to provide, with one voice, clear guidance and strategic focus with respect to the desired results of peace-building in a given context.

- The Secretary-General must enhance — and some suggested enforce — coordination from above. With regard to implementation, efforts have been made to improve coordination by placing greater responsibility for overall mission success on Special Representatives of the Secretary-General in particular, and strengthening the roles of Resident and Humanitarian Coordinators thereunder. Some participants suggested further empowering Special Representatives to direct the implementation of a mandate, likening such an enhanced role to that of a "tsar" or a "chef de cuisine".

- The identification of lead roles on a particular country, case or issue (be it in the Security Council, the Economic and Social Council or the General Assembly) was deemed vital to improving both accountability and results at Headquarters and, in particular, among Member States.

- At the intergovernmental level, some participants suggested that the Security Council could in practice take the lead in peace-building allowing relevant organs to play an equal role or in a way that matches their competencies. This would require greater interaction between the Council and other organs at the initial stage of peace operation planning such that the conditions for seamless hand-over to other organs better placed to implement certain peace-building activities are created from the start. However, it would also be predicated on greater effectiveness and accountability in the Council.

- Many participants also noted that peace-building requires system-wide coordination, and that the Economic and Social Council could have an important role to play in tandem with the Council and possibly the General Assembly. In particular, the competencies of the Council in relation to United Nations agencies, funds and programmes are of paramount importance for the effective implementation of certain peace-building tasks.

- Three major consultation and coordination gaps were noted, each of which contribute to poor accountability. The first is the difference which may exist in instructions sent respectively by Foreign Ministries on the one hand and treasuries and aid ministries on the other to their representatives on United Nations bodies (including agency executive boards) and the international financial institutions in Washington. The second is the lack of interaction between the executive boards and the Economic and Social Council on conflict related issues. The third is the long-standing yet still unsatisfactory practice of informal consultation between the Security Council and the troop-contributing countries.

Resources

- There will rarely be a perfect match between the requirements on the ground and the resources Member States are willing and able to provide; yet, this cannot be used as an excuse for inaction, failure or lack of realistic planning, especially contingency planning, for United Nations peace operations. Peace-building cannot be done on a shoestring and the Secretariat and Member States have a shared responsibility to ensure that minimum requirements are met to provide for mission success.

- In addition, it is a given that resources will often be allocated unevenly. This "hierarchy of attention", and the concomitant creation of "strategic favourites" and "orphans", is endemic to all intergovernmental bodies although it is perhaps particularly true of the work of the Security Council. Nonetheless, it is the role of all of the principal organs to focus on goals and how these can be achieved through strategic use of the available resources.

- Assessed versus voluntary contributions necessarily create distortions with regard to the interrelated tasks of peacekeeping and peace-building. In particular, components that are traditionally viewed as peacekeeping are financed by assessed contributions, while peace-building components, which are equally important and moreover may need to be implemented simultaneously, are financed, usually insufficiently, by voluntary contributions. This is especially true of demobilization, demilitarization and rehabilitation; in particular, the rehabilitation of former combatants is frequently under-funded, although it is crucial to avoid the recurrence of violent conflict.

Results

- The key performance indicator for peace-building is the difference that is made on the ground. In this respect, all efforts of the United Nations system should be focused on how each part can contribute to and support the national and local efforts to create sustainable peace in a given country or region.

- The United Nations Development Programme (UNDP) plays an important peace-building role in the field. However, its efforts may not always be optimally integrated with other United Nations peace-building initiatives. This can lead to both unintended and counter-productive developments at the local level. That being said, there was considerable support for UNDP's leadership on peace-building and for its frequently admirable performance in the field. There was also understanding for the difficulties it faces in discharging

multiple mandates. These issues are highly relevant to the executive board of UNDP.

- The Security Council has been able to produce tangible results in peace-building; but at the same time, it has become increasingly overworked. Moreover, it is not clear that the Council is best placed to address many of the economic, social and developmental needs of post-conflict societies, or that it has the capacity to remain involved over the long term. It may also not be desirable for it to do so, as more pressing potential and actual crises demand its attention.

- There has been a historical erosion of the authority of the Economic and Social Council. This has been compounded by its infrequently held meetings that focus on broad thematic questions and are accompanied by a relatively inflexible programme of work and by the perception that it is inoperational, too large to become more operational, and lacks the command and control required to produce results. The comparative advantages of the Council lie in its ability to bring together research and policy planning with operational activities and civil society participation; its special coordination role in relation to subsidiary machinery and specialized agencies of the United Nations system; its link to the broader United Nations system through the Administrative Committee on Coordination (ACC); its increasingly close relationship with the international financial institutions as part of the financing for development process; and its responsibility as the institutional base for coordination with respect to the executive boards of United Nations funds and programmes.

- Some examples of the Council's work from which lessons could be derived for its future role in peace-building are:

  (a) The Ad Hoc Advisory Group on Haiti, which was created in 1999 at the invitation of the Security Council to contribute to the design of a long-term programme of support there;

  (b) UNAIDS, which was created by the Council and brings together seven funds, agencies and programmes in a specific programme activity with notable effectiveness;

  (c) And the ad hoc advisory group on countries emerging from conflict, which was created by the Council at the request of the General Assembly's Open-ended Ad Hoc Working Group on the Causes of Conflict and the Promotion of Durable Peace and Sustainable Development in Africa.

Solutions and next steps

- A unique opportunity exists for Member States to take responsibility for moving the issue of further consultation and coordination among the primary intergovernmental bodies of the United Nations system forward in the area of peace-building.

- Yet, some participants felt that in order to become more operational in the area of peace-building, both the Security Council, and especially the Economic and Social Council need to "do homework", examining past experience and identifying those areas in which each body could most usefully contribute to

peace-building, as a precondition for successful follow-through on the next steps suggested below.

Other, specific suggestions for moving the process forward informally, and in a manner that does not require altering the framework of the Charter of the United Nations, included:

- Nominating a member of the Council as the focal point for each mission and acting as the link to the general membership.
- Convening an informal meeting between the Presidents of the Security Council and the Economic and Social Council as a preliminary step towards further informed consultation.
- Holding an open debate in the Council, or an informal meeting (the Arria formula), on particular country cases and inviting interested members to participate in the discussion.
- Devoting a high-level segment of the Council to peace-building.
- Increasing information sharing through simultaneous reporting to the Council and the Security Council and/or coordinating substantive support to the Council through the Department of Economic and Social Affairs.
- Increasing the involvement of the Council and the General Assembly through the creation of groups of friends and/or smaller committees/task forces on a given country and possibly on issues relating to peace-building.
- Greater use and improvement of integrated mission task forces, including enhancing the interface of these with intergovernmental bodies and/or groupings of like minded States interested in a particular country/issue.
- Fostering further interaction between the intergovernmental organs, especially the Security Council, and the executive boards, especially with regard to the early stages of mission planning. In this respect, considering the Council in a "super-executive" role and facilitating this interaction.
- Enhancing the reaction capacities of the intergovernmental bodies, especially the Council and the General Assembly, e.g. facilitating their ability to convene meetings more quickly.

Other more general suggestions pertaining to fostering greater coordination included:

- Creating greater interaction between the intergovernmental bodies and regional organizations.
- Implementing those proposals that have been put forward in, for instance, the Secretary-General's report on the reform of the United Nations system (1997) and the report of the Panel on United Nations Peace Operations (2000) relating to improving coordination in the United Nations system.
- Improving the capacity of the United Nations system to assess past efforts and learn lessons from these, which might include more efficient evaluation and more frequent reporting by the Secretary-General and Security Council.

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Agenda items 21 (i) and 119 (b)

Cooperation between the United Nations and regional and other organizations: cooperation between the United Nations and the Organization for Security and Cooperation in Europe

Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Letter dated 5 November 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Netherlands to the United Nations addressed to the Secretary-General

I have the honour to transmit to you herewith the concluding statement by the Moderator of the International Seminar on Freedom of Religion or Belief in the OSCE Region: Challenges to Law and Practice, held in The Hague on 26 June 2001, as well as the working session reports and the agenda of the seminar (see annex).*

I should be grateful if you would have the present letter and its annex distributed as a document of the General Assembly, under agenda items 21 (i) and 119 (b).

(*Signed*) Michiel W. H. **Crom**
Chargé d'affaires a.i.

* The annex is being circulated in the language of submission only.

01-62668 (E) 091101

Annex to the letter dated 5 November 2001 from the Chargé d'affaires a.i. of the Permanent Mission of the Netherlands to the United Nations addressed to the Secretary-General

Freedom of Religion or Belief in the OSCE Region: Challenges to Law and Practice

Agenda of the Seminar

09:00 - 10:00 OPENING SESSION

Moderator: Renée Jones-Bos, Dutch Ambassador-at-Large for Human Rights

Opening address by the Dutch Minister of Foreign Affairs, Jozias van Aartsen

Address by the OSCE Chairman-in-Office, Romanian Minister of Foreign Affairs, Mircea Dan Geoana

Keynote address by Hilde Johnson, former Norwegian Minister for International Cooperation and Human Rights

10:00 – 10.30 BREAK

10:30 - 12.30 WORKING SESSIONS

WORKING SESSION 1

RECOGNITION AND REGISTRATION OF RELIGIOUS AND BELIEF COMMUNITIES: WHAT IS PERMISSIBLE IN LAW AND PRACTICE?

Moderator: Dr. Antoanella-Iulia Motoc, Chairperson of the UN Sub-Commission on the Promotion and Protection of Human Rights / Member of the Advisory Committee on the Framework Convention for the Protection of National Minorities

Introduction by: Professor Cole Durham, Co-Chair of the OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion or Belief

Rapporteur: Professor Malcolm Evans, Author of the book "Religious Liberty and International Law in Europe"

WORKING SESSION 2

RESTRICTIONS ON THE ACTIVITIES OF RELIGIOUS AND BELIEF COMMUNITIES: WHAT IS PERMISSIBLE IN LAW AND PRACTICE?

Moderator: John Packer, Director of the Office of the OSCE High Commissioner on National Minorities

Introduction by: Professor Manfred Nowak, Director of the Ludwig Boltzmann Institute of Human Rights

Rapporteur: Dr. Jeremy Gunn, Member of the OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion or Belief

12:30 - 14:00 LUNCH HOSTED BY THE DUTCH MINISTRY OF FOREIGN AFFAIRS

14:00 - 16:30 CONTINUATION OF WORKING SESSIONS

16:30 - 17:00 TEA BREAK

17:00 - 18:00 CLOSING SESSION

Moderator: Renée Jones-Bos, Dutch Ambassador-at-Large for Human Rights

Reports from the working sessions, including follow-up measures

Comments from the floor

Concluding Seminar Statement by the Moderator

18:00 – 19:00 RECEPTION

Concluding Seminar Statement by the Moderator of the Seminar

On 26 June 2001, an international seminar on "Freedom of Religion or Belief in the OSCE Region: Challenges to Law and Practice" was held in "De Ridderzaal" (Hall of Knights) in The Hague, the Netherlands. The seminar was a joint initiative of the Romanian Chairman-in-Office of the OSCE and the Netherlands.

The seminar was opened by the Dutch Minister of Foreign Affairs, Jozias van Aartsen, and addressed by the Romanian Chairman-in-Office, Minister Mircea Dan Geoană. An inspiring keynote address was given by Hilde Johnson, the former Norwegian Minister for International Cooperation and Human Rights.

The seminar was then divided into two simultaneous working sessions. One session dealt with recognition and registration of religious and belief communities. The other discussed restrictions on the activities of religious and belief communities.

The seminar was attended by government representatives of OSCE participating States and (Mediterranean) Partners for Co-operation, representatives of international organisations and representatives of non-governmental organisations from the OSCE region. More than 200 people participated.

A report on the seminar will be submitted to the Permanent Council of the OSCE and will be widely distributed.

A few general conclusions emerged from the discussions:

The right to freedom of religion or belief is enshrined in various global and regional instruments. The most extensive and detailed commitments are embodied in OSCE documents, including the 1989 Vienna Concluding Document and the 1990 Copenhagen Concluding Document. These commitments are buttressed by the growing body of case law issuing from the European Court of Human Rights, the Human Rights Committee and other treaty bodies.

Every person has the freedom to have, maintain, adopt and change his or her theistic, atheistic and non-theistic beliefs, whether traditional, new, well-known or unfamiliar. This freedom denotes the individual's inner, private domain. OSCE participating States may not impose any restrictions whatsoever on internal freedom of religion or belief. People are free to explore other beliefs and to make their own choices as to religious commitment and membership, including taking up, abandoning or dissenting from any religion or belief.

Every person also has the freedom, either alone or in community with others and in public or in private, to manifest his or her religion or belief in teaching, practice, worship and observance. This freedom denotes the individual's outer domain. This external freedom of religion or belief is not strictly a personal and intimate matter of the individual and may therefore be restricted under certain conditions. OSCE participating States have committed themselves to impose such restrictions only by law and when they are necessary in a democratic society to

protect public safety, order, health, or morals or the fundamental rights and freedoms of others. The limitations should be proportionate to the specified aim and not used to undermine the underlying rights and freedoms that are guaranteed by OSCE documents.

OSCE documents neither encourage nor discourage participating States from imposing registration requirements on religious and belief communities. If a participating State chooses to impose local or national registration requirements, such requirements should not become a precondition for the enjoyment of the rights and freedoms set out in OSCE documents. When certain additional rights and privileges are provided following local or national registration or re-registration, OSCE participating States must ensure that the registration requirements are transparent, non-discriminatory, and serve a legitimate purpose as agreed in OSCE documents.

In both working sessions the need for transparency was emphasized, for instance on how participating States are implementing their commitments and facing their challenges in law and practice. The possibility of a broad public dialogue on all levels of society was suggested. States should also consider inviting groups affected and interested to share their views on laws that are being prepared. The wish for more exchange of information, jurisprudence and best practices at national and international levels was repeatedly expressed.

Finally, the work of the OSCE/ODIHR Advisory Panel of Experts on Freedom of Religion or Belief was welcomed. The Panel was encouraged to undertake further study, analysis and dissemination of information regarding the issues addressed during the seminar, for instance, by convening expert meetings, by using internet tools, reviewing draft legislation and encouraging discussion within participating States.

The Hague, 26 June 2001

Working Session Reports

A Report of Working Session 1
"Recognition and Registration of Religious and Belief Communities: What is Permissible in Law and Practice?"
Rapporteur: Malcolm Evans

I Review of the Discussion

In two broad-ranging sessions many aspects of recognition and registration were discussed from a practical and theoretical perspective. A number of common themes and general understandings emerged. There was no attempt to produce formal answers to specific questions outlined in the agenda, but this was not the purpose. Rather, the discussions within the Working Session made clear the template within which further consideration of these issues could take place, gave some guidance concerning the basic parameters pertaining to these questions and offered some concrete recommendations for further activities. These matters will be reviewed in the following sections.

A Background Factors

The discussions revealed that the question of registration and recognition of religious and belief communities is potentially sensitive and raised issues which were of importance throughout the OSCE area. Its importance is not limited to particular countries or regions.

At the same time, there was widespread acceptance of the important role that religious and belief communities play in contemporary society within OSCE participating States and the fact that it manifests itself in a variety of legal relationships, reflecting the various historical, traditional and cultural factors of the particular countries concerned.

B Basic Issues

The central issue concerns the function of registration: what is its purpose? It is clear that registration is not a prerequisite for the enjoyment of freedom of religion of belief. This right is to be enjoyed individually and collectively, irrespective of whether registration has been sought or granted. Of course this does not mean that the enjoyment of this freedom is absolute. Outward manifestations of religion or belief may be the subject of legitimate restrictions. The narrow set of circumstances under which such limitations are possible was the topic considered in Working Session 2.

What, then, is the role of registration? It was recognised that virtually all states have requirements that must be fulfilled for groups of any nature to be granted degrees of status, gain exemptions or benefit from privileges or exercise what would otherwise be civil functions. It was also recognised that different criteria

might be relevant for different purposes. This gives rise to the following questions:

- Are there any functions undertaken by religious and belief communities which are so intimately connected with the enjoyment of freedom of religion or belief that registration cannot in any way be relevant to their exercise? Given that freedom of religion or belief is not contingent on the registration of the belief in question, it is likely that the answer to this question is positive. There is, therefore, a need to consider and identify the range of matters which fall into this category. It should be recalled that this does not mean that it is impossible to legitimately restrict a particular form of manifestation of religion or belief.

- Once it is established that the purpose in question is one for which registration may legitimately be required, the next question concerns the types of criteria that can be employed, for example: the size of the membership of the community in question, property ownership, and residence.

- What are the thresholds/details of the criteria which are to employed?

C The Basic Tension

Underlying the discussions was a basic tension between two different approaches to registration and registration requirements. The first approach is essentially facilitative - that is, intended to assist religious and belief communities to exercise and enjoy freedom of religion or belief by enabling them to have access to the forms of legal personality necessary for the functions in question or to qualify for the benefits that the law provides for such groups. The second approach is essentially a control function – that is, intended to be used as a means to prevent such groups from engaging undesirable activities.

When seen in this light, the discussions reflect a realisation that it is the facilitative rather than the control function which should provide the guiding principle. Examples were given of the ineffectiveness of registration as a control device to prevent otherwise unlawful activity and it seems that there is no reason why provisions of the criminal law should not be used to deal with the problems that do arise. Denying registration, or re-registration, appeared to be a disproportionate response in many instances. In those states where registration is provided for, it should form an element of the process through which freedom of religion or belief is enjoyed, not fettered.

D Resulting Framework

What are the results of this approach?

- It is important to ensure that appropriate criteria are applied, which relate to the particular purpose for which registration is required.
- The legislation providing for registration should be clearly formulated and leave as little room as possible for discretion in its application.

- A further question concerns the nature of the decision-making process. There may be advantages in registration decisions being made by judicial order rather than by administrative measures or ministerial decree.
- The level at which registration is to be sought and granted and at which it is effective needs to be carefully considered. Serious issues have arisen in situations where decisions taken at national level are not reflected or carried through at local level, and vice versa. Similarly, where decisions taken at local level are only effective within particular localities, there is a need to ensure that a consistent approach is taken.

E Discrimination in Practical Application

One of the greatest problems concerns the discriminatory effect of apparently neutral criteria. Such discriminatory effects may be the unintended byproduct of unchallenged assumptions concerning the nature of religious and belief groups that might legitimately seek registration. Alternatively, it has to be accepted that there is a danger of apparently neutral provisions and definitions being used as a mask for deliberately discriminatory purposes. It is critical that discriminatory elements of registration systems be identified and eliminated.

It is equally important that discrimination does not occur between religious and non-religious groups. If religious and belief communities need to be recognised in order to be able to function as legal entities, they must not be in a worse position than any other group seeking this or similar status.

II Recommendations and Observations

A Recommendations

A recurring theme was the need for more information concerning the problems faced both by authorities and by groups seeking registration. This would enhance understanding of what motivates states to adopt registration laws, what criteria are used and the thresholds at which they are set. This could be complemented by the experiences of those who have sought registration, successfully and unsuccessfully. Identifying the problems that groups have encountered in complying with registration requirements would be a first step towards finding solutions. Exchanges of information and experience are essential if there is to be progress towards identifying best practices. In the light of this, it is probably premature to seek to identify substantive recommendations concerning the functions for which it is legitimate to consider imposing registration requirements and the appropriate criteria to be used. Rather, and as a step towards the achievement of such objectives at national and international level, it was suggested that the OSCE/ODIHR Advisory Panel might profit from:

- Issuing questionnaires concerning legislative and administrative arrangements
- Encouraging groups to submit 'narratives' of their experience
- Incorporating this material into its web-page project

- Seeking to further disseminate such information though a variety of means and in as many languages as possible, including written publications and compilations of practices
- Convening regional seminars to address the relevant issues with the appropriate actors
- Identifying means of encouraging discussion within states at both national and local levels

B Observations

- The office of the Ombudsman could be utilised more widely to consider the working of the registration process. There will often be a reluctance, or practical inability, to challenge negative decisions through the Courts. Moreover, judicial procedures may be extremely lengthy and the freedom of religion or belief of members of a group using such procedures might be infringed in the mean time.
- A valuable role can be played by National Commissions or Committees which draw together representatives of various religious and belief communities and which can inform thinking while legislation is being drafted, and provide a means for evaluating its practical impact. It is important to ensure that membership of, or access to, such bodies is possible for all, including groups whose patterns of belief are not reflected in hierarchical organisational structures.
- The particular needs of vulnerable groups need to be taken into account in the framing of legislation and/or administrative procedures.
- There is a need for as broad a public debate as possible on these issues.
- The desirability of further standard-setting exercises should be evaluated in the light of the information garnered in such a process.
- There is a need for co-ordination with other international organisations, including the Council of Europe and the United Nations.

C Final Comment

There is an overwhelming need for the process surrounding registration to be as open and transparent as possible. This should be reflected in the discussions concerning registration laws, in the explanations given concerning the choice and relevance of the criteria set, and the purposes for which registration is required. Moreover, it is vital that decisions concerning registration be adequately underpinned so that they are open to proper scrutiny and appeal. All of this would help ensure that the purpose of registration was genuinely facilitative and best accorded with the realisation of freedom of religion or belief. It is useful to recall that the view that registration is not a prerequisite for the enjoyment of freedom of religion or belief and, when required by the state, must not act as a fetter upon it was often expressed in the Working Session. Where they exist, registration laws must apply in law and be applied in an open, transparent and non-discriminatory fashion, aimed at facilitating the enjoyment of this basic human right.

B Report of Working Session 2 "Restrictions on the Activities of Religious and Belief Communities: What is Permissible in Law and Practice?" Rapporteur: Jeremy Gunn

I Review of the Discussion

Working Session 2 focused on one of the most complicated and poorly understood areas of international human rights: the question of when and how governments legitimately may limit manifestations of religion or belief. The lively discussion included interventions by various governments, NGOs, and by religious and belief groups that have directly experienced limitations of their activities by governments. A number of concrete recommendations were made regarding follow-up steps that should be taken by the OSCE and by participating States.

Freedom of religion or belief is widely recognised as a fundamental human right. It is commonly described as including two aspects: first, the realm of a person's internal beliefs, and second, an external realm, where beliefs are manifested in many forms, such as teaching, group worship, and wearing certain types of clothing. International human rights doctrines usually describe the first aspect as being "absolute", and one where governments are prohibited from interfering in any way.

In the external realm, however, international human rights instruments provide that under certain specified and narrow circumstances governments may limit external manifestations of religion or belief. In relevant OSCE instruments, the most important statements of the circumstances where governments may limit manifestations of religion or belief are principle 17 of the Vienna Concluding Document of 1989[1] and principle 24 of the Copenhagen Concluding Document of 1990.[2]

These principles include some of the most important commitments made by OSCE participating States. The most important elements of these principles include the express provisions that:

- restrictions are permissible only if they are consistent with international law and other international commitments;
- any restrictions should be understood as *exceptions*;
- governments should not abuse restrictions;
- restrictions should not be applied in an arbitrary manner; and
- the effective exercise of the rights must be ensured.

Working Session 2 assumed that the OSCE commitments of the participating States, including principle 24 of the Copenhagen Concluding Document, should form the basis of its analysis and recommendations. While the Vienna and Copenhagen Concluding Documents were assumed to be the foundation for the

1 For the text of this principle, see Section VIII(A)(III).
2 For the text of this principle, see Section VIII(A)(IV).

Working Session's analysis and recommendations, participants believed that further clarification and analysis of these provisions would be useful.

Professor Nowak's presentation outlined how limitations clauses are analysed under international law and what the restrictions are upon governments' ability to limit manifestations of religion or belief. Any limitation imposed by a government that would limit manifestations of religion or belief must first be "prescribed by law". Second, it must be made pursuant to one of five specific purposes. Third, it must be "necessary in a democratic society." The government must meet each of these three requirements and each needs further elaboration.

To be "prescribed by law" the limitation must be pursuant to a law that is transparent and that has been made available to the public. Governments cannot restrict manifestations of religion or belief by, for example, using arbitrary police actions to suppress unpopular groups.

In order for a government's limitation to be proper, it must be pursuant to one of five purposes: protection of public safety, order, health, or morals or the fundamental rights and freedoms of others. Professor Nowak stressed that these five grounds are to be narrowly construed. Governments are not permitted to use vague or broad justifications for limiting the right to manifestations of religion or belief. "Public order" would include only limited activities such as regulating traffic. "Public order" should not be confused with a similar sounding French legal expression used in civil and administrative law and private international law and which relates to the fundamental public policies of a society, *l'ordre public*.

Finally, limitations must be "necessary in a democratic society" and must be narrowly construed. Such restrictions must be "proportionate" to the harm that a government might wish to prevent and they may not be excessively broad. Ultimately, according to the Copenhagen Concluding Document, any restrictions must attempt to preserve the essential nature of the right. Professor Nowak observed that the way in which governments are mostly likely to violate these standards is by imposing restrictions that improperly favour traditional or majority religions and that discriminate against newer or smaller religious and belief groups. Such discriminatory restrictions violate international standards generally and OSCE commitments specifically.

Following Professor Nowak's opening statement, many observed that several OSCE participating States are not complying with OSCE standards in that they are imposing restrictions on some religious or belief groups that are not imposed on others. Professor Nowak and others concluded that one of the reasons for such discriminatory treatment arises in the context of emerging multiculturalism. Other causes of increasing multiculturalism include the opening of the countries of central and eastern Europe after 1989, the abolishment of borders between EU countries, the immigration of Muslims into Europe and North America, the movement of missionaries into previously traditional societies, and the emergence of newer or non-traditional religious and belief groups. In some OSCE participating States, this growing multiculturalism is not necessarily welcomed, and is sometimes be met with suspicion or antagonism. Specifically in the area of religion and belief, some governments that are accustomed to working with a small number of long-established religions have been imposing restrictions on

newer or less conventional religious or belief groups that are not imposed on traditional religions. This has led to the types of discrimination that are prohibited under international law and OSCE standards. Such discriminatory restrictions were described as among the most significant violations of OSCE standards.

Several participants raised concerns about violations of freedom of religion or belief by governmental actions that restrict individuals and groups from persuading others to join their group or to remain within their group. There are a number of terms that are used to describe these practices, including "proselytism," "missionary activity," "indoctrination," "mental manipulation," "improper inducement," and "fraud." The terms are sometimes employed in a pejorative manner and their meanings can be quite vague and subject to manipulation by government officials. While the participants clearly recognised the importance of human dignity and the important government interest in preventing abuse of the integrity of the person, there was also a concern that laws with such vague terms could be used to attack certain unpopular groups. Thus an unpopular religious or belief group might be accused of engaging in "improper inducement" while a favoured group that engaged in identical activities might be left alone.

II Recommendations

The participants made a number of recommendations regarding ways the OSCE might be able to respond to the problems presented by governmental restrictions on manifestations of religion or belief. They included:

- The OSCE should convene an expert-level seminar or enlist the efforts of the OSCE/ODIHR Advisory Panel to analyse, under OSCE standards pertaining to freedom of religion and belief, the meaning and implication of terms such as "proselytism," "missionary activity," "indoctrination," "mental manipulation," "improper inducement," and "fraud." Although participants agreed that the term "sect" is a pejorative term, they disagreed as to whether it would be appropriate for an experts' seminar to consider questions such as what is "religion" and what is a "sect".
- The OSCE should convene an expert-level seminar or enlist the efforts of the OSCE/ODIHR Advisory Panel to analyse and elaborate OSCE standards pertaining to permissible governmental limitations on freedom of religion or belief.
- The OSCE/ODIHR Advisory Panel should consider the question of how best to implement recommendations pertaining to limitations on freedom of religion or belief and issue a report as appropriate.
- The OSCE/ODIHR Advisory Panel should issue a report on current laws and practices with regard to conscientious objection.
- All OSCE participating States that are considering enacting or amending laws that might limit manifestations of religion or belief should ensure that draft laws are made available to the public in a timely way and that interested persons and those who are likely to be affected by such laws have an opportunity to participate in meaningful public discussions and debates about the proposed laws. The use of round tables and of written suggestions should be particularly encouraged.

- All OSCE participating States that are considering enacting or amending laws that might limit manifestations of religion or belief should be encouraged to submit the draft legislation to independent international bodies - such as the OSCE/ODIHR Advisory Panel or the High Commissioner for National Minorities - for independent expert review for the purpose of receiving advice on whether proposed laws might improperly limit manifestations of religion or belief. Draft legislation should also be reviewed by recognised and independent experts within their countries, such as sociologists of religion and respected human rights scholars.
- All OSCE participating States that are considering enacting or amending laws that might limit manifestations of religion or belief should be encouraged to make use of appropriate internal state mechanisms for review of the compatibility of the proposed laws with constitutional and human rights obligations. Such internal state review mechanisms might include, for example, the *Conseil constitutionnel*, Council of State, or Parliamentary committees on Human Rights.
- NGOs are encouraged to be active in responding to draft legislation by participating in round table discussions, offering written comments, and by communicating with groups that are likely to be affected by legislation.
- The legislatures of all OSCE participating States that are considering enacting or amending laws that might limit manifestations of religion or belief should be encouraged to articulate clearly the grounds for enacting the legislation and to hold hearings and accumulate evidence to explain the reason for the legislation.
- OSCE participating States should, in conformity with OSCE commitments, be willing to enter into dialogue with religious and belief groups that so desire.
- All OSCE participating States should be encouraged to ratify appropriate international and regional human rights conventions without reservations, and they also should be encouraged to ratify optional protocols that provide for international supervision and individual complaints.
- OSCE participating States should develop and implement standards and training for police and security officials who may have responsibility for enforcing laws that restrict manifestations of religion or belief. Such training and standards should emphasise the importance of complying with international human rights norms and that the enforcement of the law should not be conducted in a discriminatory or antagonistic manner.
- OSCE participating States should ensure that police and security officials fairly enforce laws against discrimination, particularly in cases where religious and belief groups are attacked by hostile individuals and groups.

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Verification in all its aspects, including the role of the United Nations in the field of verification

General and complete disarmament

Compliance with arms limitation and disarmament and non-proliferation agreements

Review of the implementation of the Declaration on the Strengthening of International Security

Security Council
Fifty-sixth year

Identical letters dated 5 November 2001 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General and to the President of the Security Council

Upon the instruction of my Government, I have the honour to transmit herewith the press release of the Ministry of Foreign Affairs of Ukraine on the occasion of the elimination in Ukraine of the last intercontinental missile silo under the START Treaty.

I would appreciate it if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda items 65, 74, 83 and 84, and of the Security Council.

(*Signed*) Valeriy **Kuchinsky**
Ambassador, Permanent Representative of
Ukraine to the United Nations

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Annex to the letter dated 5 November 2001 from the Permanent Representative of Ukraine to the United Nations addressed to the President of the Security Council

Press release of the Ministry of Foreign Affairs of Ukraine

On 30 October 2001, Ukraine destroyed its last SS-24 intercontinental missile silo located on its territory.

Taking into account that all the SS-19 intercontinental missile silos and strategic air force groupings had been previously eliminated, this event marked the fulfilment by Ukraine of its commitments under the START Treaty to eliminate in the course of seven years all nuclear arsenals and strategic offensive weapons.

All nuclear warheads that have been transferred from the territory of our country were also destroyed under the control of Ukrainian observers. In that way Ukraine has demonstrated its steadfast commitment to the strengthening of international peace and stability and made a solid contribution towards the strengthening of the international regime of non-proliferation of nuclear weapons.

Having chosen a nuclear-free future, the Ukrainian people have taken an unprecedented step in the history of mankind in ensuring the total elimination of its inherited nuclear arsenal. In this context we highly appreciate the security guarantees provided by the United Kingdom of Great Britain and Northern Ireland, China, the Russian Federation, the United States of America and France to Ukraine in connection with its accession to the Treaty on the Non-Proliferation of Nuclear Weapons as a non-nuclear State.

Comparing the political situation in the early 1990s with present-day realities, when Ukraine was taking a decision regarding its future nuclear-free status, we are fully aware of the changes which have occurred in the world. The tragic consequences of the recent terrorist attacks in the United States manifestly demonstrate that new threats and challenges to the international community and stability have become a reality, which require their timely evaluation and prevention. The further strengthening of strategic stability in the world remains, as before, an important task. Ukraine is ready to facilitate the elaboration of new approaches in this respect within the United Nations, other international forums and on a bilateral basis.